

SOCIÉTÉ DES NATIONS  
LEAGUE OF NATIONS

CONFÉRENCE INTERNATIONALE  
DU TRAVAIL

INTERNATIONAL LABOUR  
CONFERENCE

DIXIÈME SESSION

TENTH SESSION

GENÈVE — GENEVA  
1927

VOLUME II. — RAPPORT DU DIRECTEUR PRÉSENTÉ A LA CONFÉRENCE.  
VOLUME II. — REPORT OF THE DIRECTOR PRESENTED TO THE CONFERENCE.

ENGLISH EDITION



BUREAU INTERNATIONAL DU TRAVAIL  
INTERNATIONAL LABOUR OFFICE  
GENÈVE — GENEVA

1927













SOCIÉTÉ DES NATIONS  
LEAGUE OF NATIONS

CONFÉRENCE INTERNATIONALE  
DU TRAVAIL

INTERNATIONAL LABOUR  
CONFERENCE

DIXIÈME SESSION

TENTH SESSION

GENÈVE — GENEVA  
1927

VOLUME II. — RAPPORT DU DIRECTEUR PRÉSENTÉ A LA CONFÉRENCE.  
VOLUME II. — REPORT OF THE DIRECTOR PRESENTED TO THE CONFERENCE.

ENGLISH EDITION



BUREAU INTERNATIONAL DU TRAVAIL  
INTERNATIONAL LABOUR OFFICE  
GENÈVE — GENEVA

1927



## TABLE OF CONTENTS.

	Page		Page
INTRODUCTION. . . . .	1	Governing Body (§§ 29-31) . . . . .	24
FIRST PART. — GENERAL ACTIVITY OF THE ORGANISATION . . . . .	3	Sessions of (§ 29) . . . . .	24
FIRST SECTION : <i>Working of the Orga- nisation</i> . . . . .	3	Composition of (§ 30) . . . . .	24
<i>Chapter I. — Questions of organisa-     tion</i> . . . . .	3	Amendment to Article 393 of the Treaty of Versailles (§ 31) . . . . .	25
General Constitution of the Organisa- tion (§§ 2-17). . . . .	3	Committees (§§ 32-40). . . . .	25
Members of the Organisation (§§ 2-5) . . . . .	3	Joint Maritime Commission (§ 33) . . . . .	26
Spain (§ 4) . . . . .	4	Permanent Migration Committee (§ 34) . . . . .	27
Brazil (§ 5) . . . . .	4	Correspondence Committee on Industrial Hygiene and Safety (§ 35) . . . . .	27
Costa-Rica (§ 6) . . . . .	4	Committee of Experts on Social Insur- ance (§ 36) . . . . .	28
List of States Members (§ 7) . . . . .	4	Mixed Advisory Agricultural Committee (§ 37) . . . . .	28
Italy (§ 8) . . . . .	5	Committee of Experts on Native Labour (§ 38) . . . . .	28
Relations with the Governments of the States Members of the Organisation (§§ 9-10) . . . . .	7	Third International Conference of Labour Statisticians (§ 39) . . . . .	29
Relations with the Governments of States which are not Members of the Organ- isation (§§ 11-17) . . . . .	9	Assessors for Labour cases (§ 40) . . . . .	30
United States of America (§ 11) . . . . .	9	Organisation of the International La- bour Office (§§ 41-47). . . . .	30
Mexico (§ 12) . . . . .	11	Internal organisation (§ 41) . . . . .	30
Russia (§ 13) . . . . .	11	Refugees Section (§ 42) . . . . .	30
Turkey (§ 14) . . . . .	17	National Correspondents (§ 43) . . . . .	30
Egypt (§ 15) . . . . .	17	Staff (§ 44) . . . . .	30
Philippine Islands (§ 16) . . . . .	17	Diplomatic immunities (§ 45) . . . . .	31
Participation of Saar Territory in the work of the Organisation (§ 17) . . . . .	17	New Building (§ 46) . . . . .	31
Composition of the Conference (§§ 18- 20) . . . . .	18	International Scientific Management Ins- titute (§ 47) . . . . .	32
Incomplete Delegations (§ 19) . . . . .	18	Financial Organisation (§§ 48-50) . . . . .	33
Representation of certain Governments by the Ministers dealing with labour questions (§ 20) . . . . .	19	Budget for 1927 (§ 49) . . . . .	33
Legal questions raised by the working of the Conference (§§ 21-28) . . . . .	19	Budget for 1928 (§ 50) . . . . .	33
Composition of Committees and autonomy of Groups (§ 22) . . . . .	19	Relations with the League of Nations (§§ 51-61) . . . . .	34
Double discussion procedure (§ 23) . . . . .	20	International Economic Conference (§ 52) . . . . .	34
Substitutes, distribution of Governments on Committees, proportional repre- sentation (§ 24) . . . . .	21	Intellectual Work (§ 53) . . . . .	35
Appointment of Group secretaries (§ 25) . . . . .	21	Health (§ 54) . . . . .	36
Admissibility of protests against the nomi- nation of delegates (§ 26) . . . . .	22	Protection of Young Persons and Children (§ 55) . . . . .	37
Special Maritime Conferences (§ 27) . . . . .	23	Communications and Transit (§ 56) . . . . .	37
The question of languages (§ 28) . . . . .	24	Unemployment (§ 57) . . . . .	38
		Mandates (§ 58) . . . . .	38
		Slavery (§ 59) . . . . .	39
		Disarmament (§ 60) . . . . .	39
		Conclusion (§ 62) . . . . .	40



	Page		Page
<i>Chapter II. — International information</i> . . . . .	41	Night work in bakeries (§§ 122-123). . . . .	117
Centralisation of information (§§ 65-70) . . . . .	41	Effect given in 1926 to the decisions of the Conference (§ 122).. . . .	117
Library (§ 65) . . . . .	41	Opinion of the Permanent Court of International Justice (§ 123) . . . . .	122
Documents Service (§ 66) . . . . .	41	Holidays with pay (§ 124) . . . . .	122
Collection of collective agreements (§ 67) . . . . .	42	Development of facilities for the utilisation of workers' spare time (§ 125) . . . . .	124
Late replies to enquiries of Office (§ 68) . . . . .	42	Housing (§ 126) . . . . .	126
List of cinema films (§ 69) . . . . .	43	Unemployment (§§ 127-142) . . . . .	127
Collection of pictures (§ 70) . . . . .	43	The general position in 1926 (§ 127) . . . . .	127
Preparation of information (§§ 71-72) . . . . .	43	Effect given in 1926 to the decisions of the Conference (§ 128) . . . . .	129
International unification of labour statistics (§ 72) . . . . .	43	Unemployment insurance (§§ 129-133). . . . .	130
Distribution of information (§ 73) . . . . .	44	International reciprocity (§ 134) . . . . .	133
Publications (§§ 74-82) . . . . .	45	Finding of employment (§§ 135-140) . . . . .	133
Periodical publications (§ 75) . . . . .	46	Public works (§ 141) . . . . .	136
Monthly summary of the work of the Organisation (§ 76) . . . . .	46	Prevention of unemployment crises (§ 142) . . . . .	137
Legislative Series (§ 77) . . . . .	46	Migration (§§ 143-150). . . . .	138
Studies and Reports (§ 78) . . . . .	46	International action during 1926 (§ 143) . . . . .	138
Special publications (International Labour Directory, Encyclopaedia of Industrial Hygiene, International Survey of Legal Decisions on Labour Law, Publications for the International Economic Conference) (§ 79) . . . . .	46	Effect given in 1926 to the decisions of the Conference (§ 144) . . . . .	139
Publications in languages other than French and English (§ 80) . . . . .	47	Bilateral agreements (§ 145) . . . . .	142
Distribution of publications (§ 81) . . . . .	48	Information on migration (§§ 146-148) . . . . .	143
<i>Chapter III. — Relations</i> . . . . .	50	Present extent of migration (§ 149) . . . . .	144
Universities and educational (§ 84) . . . . .	51	General tendencies of migration regulations (§ 150) . . . . .	145
Relations with the Churches (§ 85) . . . . .	52	Russian and Armenian refugees (§ 151) . . . . .	147
Charitable organisations (§ 86) . . . . .	53	Wages (§ 152) . . . . .	150
Women's organisations (§ 87) . . . . .	53	Scientific management (§ 153) . . . . .	152
Various organisations (§§ 88-89) . . . . .	54	Vocational education (§ 154) . . . . .	154
Disabled and ex-service men (§ 90) . . . . .	54	Industrial hygiene (§§ 155-162). . . . .	156
Associations dealing with social questions (§§ 91-92) . . . . .	55	Anthrax (§ 155) . . . . .	156
Relations with Workers (§ 93) . . . . .	56	White lead (§ 156) . . . . .	157
Christian Trade Unions (§ 94) . . . . .	58	Government health services (§ 157) . . . . .	158
Fascist unions (§ 95) . . . . .	59	White phosphorus (§ 158) . . . . .	158
Organisations in distant countries (§ 96) . . . . .	60	Compensation for occupational diseases (§ 159) . . . . .	158
Non-manual workers (§ 97) . . . . .	62	Limitation of loads (§ 160) . . . . .	161
Employers' organisations (§ 98) . . . . .	62	Fatigue (§ 161) . . . . .	162
Shipowners and seamen (§ 100) . . . . .	63	Standardisation of colour sense tests (§ 162) . . . . .	162
Agricultural workers (§ 101) . . . . .	64	Prevention of accidents (§ 163) . . . . .	163
Intellectual workers (§ 102) . . . . .	65	Social insurance (§§ 164-168) . . . . .	165
Co-operation (§ 103) . . . . .	65	General tendencies (§ 164) . . . . .	165
SECOND SECTION : <i>Examination of results</i> . . . . .	67	Effect given in 1926 to the decisions of the Conference (§ 165) . . . . .	165
Economic development in 1926 (§§ 106-108) . . . . .	67	Development of social insurance in 1926 (§ 166) . . . . .	168
Ratifications (§ 109) . . . . .	76	International agreements (§ 167) . . . . .	178
Tables showing measures taken during 1926 to give effect to Conventions and Recommendations (§ 110) . . . . .	78	Estimation and comparison of costs of social insurance (§ 168) . . . . .	179
Commentary on tables (§ 111) . . . . .	98	Protection of women (§§ 169-171) . . . . .	182
Requests for interpretations addressed to the Office (§ 112) . . . . .	98	Effect given in 1926 to the decisions of the Conference (§ 169) . . . . .	182
Supervision of application (§ 114) . . . . .	100	Night work of women (§ 170) . . . . .	182
Hours of work (§§ 115-118) . . . . .	101	Employment of women before and after childbirth (§ 171) . . . . .	183
Position in the countries which took part in the London Conference (§ 115) . . . . .	101		
Position in other countries (§ 116) . . . . .	107		
Methods of progress (§§ 117-118) . . . . .	111		
Weekly rest (§§ 119-121) . . . . .	114		
Effect given in 1926 to the decisions of the Conference (§ 119) . . . . .	114		
Weekly rest in industrial undertakings (§ 120) . . . . .	114		
Weekly rest in commercial establishments (§ 121) . . . . .	116		

	Page		Page
Protection of children and young persons (§§ 172-174) . . . . .	183	SECOND PART. — SUMMARY OF ANNUAL REPORTS UNDER ARTICLE 408 . . . . .	257
Effect given in 1926 to the decisions of the Conference (§ 172) . . . . .	183	First Session (Washington, 1919) . . . . .	262
Age of admission of children to industrial employment (§ 173) . . . . .	184	Convention limiting hours of work in industrial undertakings to eight in the day and forty-eight in the week . . . . .	262
Night work of children and young persons (§ 174) . . . . .	185	Convention concerning unemployment . . . . .	272
Protection of seamen (§§ 175-185) . . . . .	186	Convention concerning the employment of women before and after childbirth . . . . .	286
Effect given in 1926 to the decisions of the Conference (§ 175) . . . . .	186	Convention concerning employment of women during the night . . . . .	291
Hours of work (§ 176) . . . . .	188	Convention fixing the minimum age for admission of children to industrial employment . . . . .	306
International Seamen's Code (§ 177) . . . . .	189	Convention concerning the night work of young persons employed in industry . . . . .	314
Articles of agreement (§§ 178-179) . . . . .	190	Second Session (Genoa, 1920) . . . . .	328
Social insurance (§ 180) . . . . .	191	Convention fixing the minimum age for admission of children to employment at sea . . . . .	328
Other measures for protection of seamen (§§ 181-183) . . . . .	191	Convention concerning unemployment indemnity in case of loss or foundering of the ship . . . . .	335
Enquiries—Conditions in fishing industry (§ 184) . . . . .	192	Convention for establishing facilities for finding employment for seamen . . . . .	338
Costs of social legislation on shipping industry (§ 185) . . . . .	194	Third Session (Geneva, 1921) . . . . .	352
Agricultural workers (§§ 186-191) . . . . .	194	Convention concerning the age for admission of children to employment in agriculture . . . . .	352
Effect given in 1926 to the decisions of the Conference (§ 186) . . . . .	194	Convention concerning the rights of association and combination of agricultural workers . . . . .	356
Organisation and representation of agricultural workers (§ 187) . . . . .	196	Convention concerning workmen's compensation in agriculture . . . . .	359
Distribution and possession of land (§ 188) . . . . .	197	Convention concerning the use of white lead in painting . . . . .	363
Other problems (§§ 189-190) . . . . .	198	Convention concerning the application of the weekly rest in industrial undertakings . . . . .	372
Conditions of labour in colonies, etc. (§§ 192-197) . . . . .	201	Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers . . . . .	390
Application of ratified Conventions to colonies, protectorates and possessions; steps taken in 1926 (§ 193) . . . . .	201	Convention concerning the compulsory medical examination of children and young persons employed at sea . . . . .	395
Native labour (§ 194) . . . . .	208	APPENDIX I: Report of the Committee of Experts appointed to examine the annual reports made under Article 408, with the list of reports examined by the Committee and the observations of the Committee on the forms for reports . . . . .	400
Vestiges of slavery (§ 195) . . . . .	210	APPENDIX II: Report made by the Government of the Irish Free State on the Convention concerning the age for admission of children to employment in agriculture . . . . .	420
Forced labour, contract labour and the general conditions of native labour (§196) . . . . .	212		
Specia countries. Asiatic enquiry (§§ 198-204) . . . . .	219		
China (§ 199) . . . . .	219		
India (§ 200) . . . . .	222		
Netherlands East Indies (§ 201) . . . . .	223		
Japan (§ 202) . . . . .	225		
British Malaya (§ 203) . . . . .	226		
Siam (§ 204) . . . . .	226		
Factory inspection (§ 205) . . . . .	226		
Right of association (§ 206) . . . . .	227		
Industrial relations (§ 207) . . . . .	231		
Conciliation and arbitration (§ 208) . . . . .	232		
Labour copartnership, workers' share in the management of undertakings and in national affairs (§ 209) . . . . .	233		
Intellectual workers (§ 210) . . . . .	235		
Co-operation (§ 211) . . . . .	237		
General conclusions (§ 212) . . . . .	239		
APPENDIX: Bibliography . . . . .	244		





## INTRODUCTION.

1. — The present Report, which is submitted by the Director of the International Labour Office to the Tenth Session of the International Labour Conference, deals with the work of the Organisation from 1 January to 31 December 1926. As on previous occasions, however, certain questions which may be discussed at the Conference have been dealt with up to the latest possible date.

The general plan of the Report is practically the same as last year.

Part I of the Report gives a review of the general activity of the International Labour Organisation. It is divided into the usual two Sections. The First Section deals with the working of the Organisation, its internal development, its external relations; in short, it reviews the working of the machinery for carrying out the purposes of Part XIII of the Treaty. The Second Section analyses the results produced. Every year an endeavour is made to make this analysis at once more instructive and more comprehensive. In making it the Office, so to speak, has to examine its own conscience. This analysis of the results helps the Office to guide its future work on the best lines. It constitutes a sort of annual review of the labour movement throughout the world. The appreciation with which it has been received in past years is shown by the fact that

translations, summaries, or even a more popular edition of that portion of the Report have been asked for in a number of countries.

The only change of any importance which has been made this year in the usual plan of the Report occurs in this Second Section, in which it has been decided, in order to make the Section more comprehensive and to bring out more clearly the results obtained, to introduce the general observations previously given in Chapter II of the First Section under the heading *International Labour Legislation*. The general survey of the results obtained will thus be immediately followed by a review of the movement of events and ideas in the separate departments of social reform.

Part II, as usual, consists of the summary provided for in the Peace Treaty of the annual reports submitted in pursuance of Article 408. Last year reference was made to the necessity of having these reports considered and compared. This course was approved by the Eighth Session of the Conference, which decided to set up a special Committee for the purpose of examining the reports. This Committee's conclusions, after having been submitted to the Governing Body, will be given in an Appendix to Part II of the present Report.



## FIRST PART.

General Activity of the Organisation.





## FIRST PART.

### General activity of the Organisation.

#### FIRST SECTION.

#### Working of the Organisation.

##### CHAPTER I.

##### QUESTIONS OF ORGANISATION.

##### *General Constitution of the Organisation.*

2. — The year 1926 saw important changes take place in the composition of the League of Nations. The September Assembly admitted Germany. On the other hand, it had to record the withdrawal of Brazil and Spain. The Governments of these two latter countries have given the two years' notice prescribed in Article 1 of the Covenant for States which wish to withdraw from the League.

3. — Whether the decision taken by Brazil and Spain with regard to the League of Nations was of a nature to affect their participation in the International Labour Organisation raises a delicate legal problem to which attention has already been drawn by previous circumstances.

Under Article 387 of the Treaty of Versailles, membership of the League of Nations carries with it membership of the International Labour Organisation. The positive meaning of this provision is quite clear, but it has been claimed that it has a much wider scope than appears from the actual words. By the argument *à contrario* it has been maintained that, if all the Members of the League of Nations are necessarily Members of the International Labour Organisation as Article 387 provides, it should be held that all Members of the International Labour Organisation must also be Members of the

League of Nations. In other words, Article 387 must be interpreted as establishing perfect and absolute coincidence between membership of the one and membership of the other institution.

The interpretation of Article 387 has given rise to frequent controversies since the Washington Conference. It may be recalled that in 1919 the Conference at its 1st. Session decided to admit Germany and Austria, which countries nevertheless were not at that time Members of the League of Nations. On the other hand, the Conference did not feel itself in a position to decide to admit Finland. This difference of attitude was due to the fact that a resolution of the Peace Conference had proposed that Germany and Austria should be admitted into the International Labour Organisation before the Treaty was signed. There has been considerable discussion on the legal effect of this resolution. On one side it has been considered that the resolution constituted a measure the obviously exceptional character of which confirmed the rule that membership of the one institution involved membership of the other. On the other side it has been maintained that the Peace Conference resolution furnishes an advance interpretation of the Treaty by its authors themselves, and that consequently a country could be admitted into the International Labour Organisation regardless of its being admitted into the League of Nations.

No attempt is being made to go into these controversies here. It may simply be pointed out that the principal argument put forward for the theory that Members of the International Labour Organisation must be Members of the League of Nations is that there is no provision in the Treaty of Peace which confers on the Conference power to admit a country to membership of the Organisation. This argument, which is a very powerful one in itself, does not, however,

apply in the case at present under consideration. There is no need to ascertain what authority is competent to admit Brazil or Spain. These States have been Members of the Organisation since its creation. The only question is whether their withdrawal from the League of Nations must *ipso facto* involve their withdrawal from the International Labour Organisation. On this point it may simply be observed that, if Article 387 undoubtedly makes Members of the League of Nations Members of the International Labour Organisation, it is a disputable and disputed interpretation to argue therefrom that Members of the International Labour Organisation must of necessity be Members of the League of Nations. The fact is that two States have actually been admitted to the International Labour Organisation though they did not at the time belong to the League of Nations, and consequently it would seem justifiable to maintain that it is possible to be a Member of the International Labour Organisation without being a Member of the League of Nations.

It may be added that this opinion may be based on considerations of fact and expediency as well as on legal arguments, and that the International Labour Organisation may be some day for important industrial communities which hesitate to undertake the political obligations of the League of Nations a means of collaborating with other countries in matters of labour legislation.

In any case, the question to which reference has just been made can hardly be said to arise at the present moment, because Members of the League of Nations under the provisions of the Covenant can only withdraw after giving two years' notice, and accordingly remain Members of the League until the period of notice has expired. For two years the States which propose to withdraw from the League are still free to take part in any of its work which they consider useful and desirable, and, as far as concerns Brazil and Spain, these two countries consider it desirable to maintain their collaboration with the International Labour Office.

4. — On 1 October 1926 the *Spanish* Government informed the Office that although it was withdrawing from the League of Nations Spain nevertheless wished to remain a Member of the International Labour Organisation, and that by so doing it could "pursue with the same enthusiasm as before the collaboration which it has given to the work of the International Labour Office". The Government added in its letter: "The Spanish Government considers that the work of the Office exercises a very great influence in the present and will perhaps have still greater influence in the future

as regards the maintenance of social order and peace in modern civilisation".

The decision of the Spanish Government was confirmed by its representative on the Governing Body of the Office, Count de Altea. At the 33rd. Session of the Governing Body held in October 1926 Count de Altea stated in the name of his Government that in spite of the reasons which had led Spain to withdraw from the League of Nations his country would remain an enthusiastic collaborator in the work of the International Labour Organisation. This attitude of the Spanish Government, he added, was the result of the great interest taken by Spain in the problems of social legislation and the equitable protection of the working class, an interest of which its national legislation supplied a proof. The Spanish Government, said Count de Altea, would consider it a high honour to continue its collaboration on behalf of the lofty principles of peace and social justice which the Organisation was effectively pursuing under the conditions of modern civilisation.

This declaration was warmly received by the Governing Body. The Spanish Government's decision will also be appreciated by all the members of the Conference.

5. — The decision which the *Brazilian* Government has taken is to the same effect. Although the official announcement of its withdrawal from the League was made during the last Session of the Conference, its delegates continued to attend the Conference until its work was finished. The conversations which the Office has had since that time have made it clear that the Brazilian Government firmly intends to continue its collaboration as before. No doubt the Brazilian Delegation itself will announce officially to the Conference the desire of its Government to remain a Member of the International Labour Organisation.

6. — It was pointed out in previous Reports that the Government of *Costa Rica* had given the two years' notice of its withdrawal from the League. This period of two years has just expired. The Office must therefore now strike out (it is hoped, however, that this will only be for the time being) *Costa Rica* from the list of Members of the Organisation. Perhaps the *Costa Rica* Government will also give effect to the suggestion that it should remain in the International Labour Organisation.

7. — The list of the 55 States Members of the Organisation is therefore as follows :

Abyssinia	Austria
Albania	Belgium
Argentina	Bolivia
Australia	Brazil



British Empire	Luxemburg
Bulgaria	Netherlands
Canada	New Zealand
Chile	Nicaragua
China	Norway
Colombia	Panama
Cuba	Paraguay
Czechoslovakia	Persia
Denmark	Pern
Esthonia	Poland
Finland	Portugal
France	Roumania
Germany	Salvador
Greece	San Domingo
Guatemala	Kingdom of the
Haiti	Serbs, Croats and
Honduras	Slovenes
Hungary	Siam
India	South Africa
Irish Free State	Spain
Italy	Sweden
Japan	Switzerland
Latvia	Uruguay
Liberia	Venezuela
Lithuania	

8. — The above list of the Members of the International Labour Organisation includes almost all the States of the world, except the two important industrial countries of Russia and the United States of America.

It would be interesting to compare the parts which these different States Members take in the work of the Organisation and to consider how far, beyond the regular discharge of administrative formalities, they constitute a real living Organisation, and what interest public opinion in the different countries takes in its activities.

In the light of recent experience an attempt was made in last year's Report to sketch briefly the outlines of this collective life, but that attempt gave rise to certain misunderstandings<sup>1</sup>.

To make a critical and detailed analysis of the part taken by each State Member in the work of the Organisation would be going too far and would involve frequent repetitions in the sections of the Report dealing with the separate items in the programme of social reform. On the other hand, short notes would lend themselves to ambiguities. As it is impossible to do so on the scale and with the detail which would be desirable, no attempt will be made to review the Office's relations with each of the States Members. It may simply

<sup>1</sup> The criticism was made (c.f. Final Record of the proceedings of the Eighth Session of the Conference, page 146) that too much space was given in the Report to Russia and the United States and too little to certain States Members of the Organisation.

As a matter of fact, it is indispensable to endeavour to ascertain how the internal life of the States which are not yet Members of the Organisation may induce them to join it. As regards States which are already Members, their activities are recorded in each of the chapters of the present Report.

be observed that the Members generally have full confidence in the Organisation.

It would appear, however, to be the Director's duty to mention here the criticisms which have been expressed against the International Labour Office by public opinion, and in some instances by Government authorities, in *Italy*. A cloud seems to be gathering on the horizon, and the Office would be glad to help to disperse it by making full and frank explanations.

No very serious attention has been paid to the repeated and sometimes absurdly extravagant attacks which have been made on the Director personally. The fact is that such attacks might be of a somewhat more serious character in a country where the press is more organised, more disciplined and more conscious of its responsibility than in any other country. But, no doubt, the Italian Government has treated these attacks as calumnies which did not call for any denial or reply.

There was, however, cause for the Office's taking notice of the situation when the Italian Under-Secretary of State for Foreign Affairs stated, in a speech in the Chamber of Deputies to which considerable publicity was given, that there were certain influences in the International Labour Organisation which were making the Organisation a dependent branch of the Amsterdam Federation, that the commotion made over the yearly protest against the Italian workers' delegate's credentials was really intolerable for the Government, and that the attitude of Fascist Italy towards the International Labour Office might have to be revised if any further protest were made.

The Director is not aware that he has in any circumstance failed in his duty to carry on his work impartially and objectively, or that he has been guilty of any misconduct or impropriety in regard to any State. Besides, even if he were making some mistake, it would always be open to the Italian Government to bring the matter before the Governing Body, to which the Director is accountable. As a matter of fact, the Director considers that he is entitled to say that in his desire to carry out the work entrusted to him he has systematically and at the risk of being misjudged endeavoured in all circumstances to promote conciliation and union between the different policies represented in the Organisation. In any case, it is not his fault that the "traditional" debate on the Italian workers' delegation has been renewed on different occasions. The fact is that, as far as he was able, he has endeavoured to avoid the recurrence of such a debate or to keep it within narrower limits. But it is not one of his functions to limit the application of the constitutional rules laid down in the Treaty of Peace or to restrict the rights of delegates who claim to apply them.



In the special case at present under consideration it may be recalled that the Governing Body of the Office quite recently unanimously approved the conclusions of its Standing Orders Committee which are against any restrictive interpretation of the power of international federations to make protests against the credentials of delegates from whatever country, that in 1921 the International Court at the Hague recognised that the Amsterdam International Federation was entitled to take part in the pleadings on the credentials of the Netherlands workers' delegate, that the International Labour Office is after all only an instrument for preparing and giving effect to the discussions of the International Labour Conference and consequently cannot intervene in any dispute on a delegate's credentials, and that the Credentials Committee which is appointed by the Conference is the only body competent to pronounce on the admissibility of protests against the nomination of non-Government delegates. In these circumstances only the Conference, in the Office's opinion, can deal with any proposal which implies an interpretation different from that authorised by its Standing Orders, by the decisions of the Governing Body and by the practice of the International Court at the Hague. And the Italian Government will probably recognise that it would be unjust to lay the responsibility for this situation on the Office.

The Office of course appreciates that some feeling may be created in public opinion in Italy by the annual recurrence of attacks in the Conference against Italian trade union organisation. Although the credentials of the workers' delegate have been confirmed by increased majorities each year, the Office can well understand that in view of the special constitution of Fascism the Italian Government should be inclined to attach special importance to the incidents within the workers' group affecting its representation in the Committees of the Conference. Perhaps, however, the Italian Government should not overlook the difference which exists between the Assembly of the League of Nations, which is entirely composed of Government delegates, and the International Labour Conference, in which non-Government delegates can take part and vote in complete independence. It should also, perhaps, take account of the decision by which the Governing Body and the Conference have expressly guaranteed the right of all delegates to speak in the Committees and in the other bodies within the Conference.

However, the Director ventures to think that these incidents can hardly be put in the balance with the general collaboration which has been instituted between Italy and the International Labour Organisation and which has been so effective and so fruitful. The opportunity may be taken here to recall that Italy has ratified

13 Conventions, and that this constitutes to use an expression taken from the *Lavoro d'Italia*, a big asset in Fascist Italy's account with the International Labour Organisation. It may also be fair to indicate that the growing spread of international labour legislation throughout the world constitutes a guarantee for the large number of Italian workers who emigrate abroad, and to treat this as a growing asset on the other side in the International Labour Organisation's account with Italy.

Moreover, it seems clear that on most points Italy's social ideal accords with the social ideal expressed in the Treaty of Peace. The Italian Labour Charter, which was solemnly proclaimed on 21 April last, is in its practical provisions in harmony with the International Labour Charter enshrined in the Treaty<sup>1</sup>. Besides, it would seem that the social policy which has thus been adopted by the Italian Government will create for the Government a new and direct interest in stimulating the work of the Office and developing a body of international legislation which will protect it against the competition of less advanced countries.

Certainly there is no reason for overlooking the fact that, in spite of this common ideal of civilisation, serious divergencies of conception have been brought out as to the constitution of the State and the part to be played by trade unions, and that these divergencies are at any moment likely to create political obstacles. But from the standpoint of the common ideal, it is surely the Office's duty, from its international position above the conflict, to endeavour to find the elements of truth which may be contained in the different theories and which may be combined for the benefit of all.

Reference has not infrequently been made in previous Reports to the close attention with which the Office has been following the constructive action taken by the Italian State to organise its industries and crafts, to secure the representation of trade-unionism in the State, and to infuse discipline into its production. Such endeavours would not appear to be, as it is too often claimed they are, in absolute contradiction with the traditions of individualism or the principles of democracy. On the contrary, it would appear that some conciliation, or at least practical cooperation, is possible in the attempt to build up a body of international legislation which would be above the

<sup>1</sup> The Office was very glad to put its available information at the disposal of the Minister of Corporations, when the latter was working on the preparation of the Labour Charter. In spite of the public discussions, daily and fruitful collaboration between the Italian Government departments and the Office has fortunately not diminished.



different outlooks which may exist. This is the problem which the International Labour Organisation should endeavour to solve, not in a spirit of conflict but in real cooperation.

This was the feeling of the Governing Body when, for example, it placed the question of freedom of association on the agenda of this year's Session of the Conference. The Office can only hope that this question will be discussed calmly and objectively and that this will help to remove the mistrust or apprehensions which may still remain in public opinion.

9. — In any case, the best means of effectively educating opinion will be to develop daily relations with the different States on practical bases. And in this direction the Office is glad to record, as in previous Reports, a number of developments significant of the real internal life of the Organisation and of the desire of the different States to take an effectual part in its work.

In the first place, the number of complete delegations to the Conference has increased. Whatever insurmountable difficulties there may be in the way of ratifications, the different States are more and more discharging their duty of representation at the Conference. This tendency is illustrated in detail in a subsequent paragraph (§ 19). Then again, correspondence between public administrations and the services of the Office is becoming more and more a matter of course and more regular, and is being more systematically organised. Although during the last year or two the movement which had started in favour of the creation of Ministries of Labour or Social Affairs would seem to have been somewhat checked, and although in 1926 Denmark and Portugal following previous examples abolished in the one case its Ministry of Social Affairs and in the other its Ministry of Labour, none the less the grouping or regrouping under different Departments of the services dealing with labour questions has not prejudicially affected the continuity of the Office's relations with the countries concerned<sup>1</sup>.

Further, most countries belonging to the Organisation are endeavouring to create in their Ministries of Foreign Affairs or their Ministries of Labour special sections for the purpose of correspondence with the Secretariat of the League of Nations and the International Labour Office. During 1926, for example, Portugal created a General Secretariat in its Ministry of Foreign Affairs to this end.

<sup>1</sup> In Greece, the Ministry of National Economy has been re-organised. In Guatemala, a National Labour Department has been created under the Ministry of Public works. In the Kingdom of the Serbs, Croats and Slovenes, the Ministry of Social Affairs has been maintained in spite of opposition.

A number of Governments have been going further still. As in many countries labour questions are not exclusively dealt with by the Ministry of Labour or Social Affairs but also come under other Departments (Agriculture, Commerce, Industry, Public Works, etc.), the Governments of a number of countries have considered it advisable to create special bodies, inter-departmental or other committees, for the purpose of centralising the collaboration of their country with the Office and coordinating the relations between their public services and the Organisation.

The majority of these special bodies have been referred to or described in the Office's Directory. To illustrate their usefulness mention may be made of the example of Sweden. Up to 1922 there existed in that country a "Swedish Delegation for International Collaboration in Social Politics". For reasons of economy this delegation was abolished, and the greater part of its functions were taken over by the Administration of Labour and Social Affairs. In 1925, however, the Trade Union Confederation asked the Swedish Government to create a new delegation or a permanent Swedish committee for the purposes of collaboration with the International Labour Office. The opinion of the Administration of Labour and Social Affairs was in favour of this proposal. The Administration recognised that the delegation which it was suggested to create would carry out better than the Administration itself had been able to do since 1922 the functions of intermediary between the Government and the other administrative bodies in matters relating to international collaboration on labour questions. However, as no measure appeared to have been taken to give effect to the Trade Union Confederation's proposal, Mr. Arvid Thorberg, President of the Confederation, put a question on the point to the Minister of Social Affairs. The Minister replied on 1 March last that he would ask for the credits necessary for the working of the proposed committee for the budget year 1927-1928. Replying to a further proposal made by the Trade Union Confederation, the Minister added that the new committee would have to publish annual reports, blue books, on the work of the International Labour Organisation and to see that the publications of the Office which were of special interest to Sweden were translated into the Swedish language.

Lastly, the work done by the representatives in Geneva accredited to the Office has also continued to give further evidence of the interest taken by the different States concerned in the Office. Only one or two changes have been made, either in the representatives themselves or in the composition of the delegations. In the case of Japan, for example, Mr.



Mayeda, who had been the representative of his Government on the Governing Body for a number of years, has returned to Japan, and his successor, Mr. Akio Kasama, has recently taken up his post in Geneva. The Brazilian Embassy to the League of Nations was abolished in 1926. On the other hand, two new permanent delegates were accredited to the Office in the same year. Firstly, Peru appointed as its representative accredited to the Office Mr. Pedro E. Paulet, who was the Peruvian Government's delegate at the 8th. and 9th. Sessions of the Conference, and who is giving his best endeavours to create effective cooperation between his country and the International Labour Organisation. Secondly, the Argentine Government has appointed Mr. Alejandro Unsain, formerly chief of the legislation division in the Argentine National Labour Department, to represent it on the Governing Body. Like the Japanese and Polish delegates, Mr. Unsain resides in Geneva and acts as Permanent Delegate. Mr. Erik Sjöstrand is still accredited to the Office as adviser on labour matters to the Swedish Government.

Canada, Hungary, the Irish Free State, Latvia, Persia, Poland and Rumania have in Geneva either permanent delegations or permanent offices or representatives attached to the League of Nations and the International Labour Office. Bulgaria, China, Czechoslovakia, Finland, Greece and Venezuela have diplomatic or consular representatives who have been specially instructed to keep in touch with the League of Nations and the Office or only with the Office. To add to the list, it should be mentioned that Portugal recently created a permanent delegation accredited to the League of Nations and the Office. This delegation, which is under the Portuguese Minister at Berne, has an office in Geneva.

10. — There is no doubt but that the development of the movement for social reform in the majority of States will ensure a closer collaboration of these States in the work of the Organisation. But the extent of this collaboration can hardly help but be affected by the currents of public opinion which influence the attitude of the different peoples towards the work of the League of Nations. According as the idea of the League of Nations is more or less real and consciously recognised the International Labour Organisation will wax or wane. Consequently, the Office follows with special interest all the movements in the world which may help or hinder the growth of mutual understanding among the nations.

An example of the kind of movement of ideas to which the Office is paying great attention is the controversy in Latin America between the Pan-American idea and the idea of the League of Nations. This controversy is being all the more closely followed by the Office

because the relations between the International Labour Organisation and the States of South America may be influenced by it.

The Fifth Pan-American Conference held in 1923 decided to proceed to a codification of American international law. By the resolution which the Conference adopted the Governments of the American States were invited to appoint two jurists each as members of a committee which was to work out the proposed codification. This Committee is to meet in April at Rio de Janeiro.

It is not for the Office to express any opinion here as to the usefulness of a codification of international law, which, however, has been criticised by many authors. Nor is it for the Office to deal with the question whether there is any American international labour law which is distinct from European international law or international law in general. Such a theory may be disputed, and to make such a distinction would seem to run counter to the general trend of things, which far from keeping the continents apart multiplies every day the relations between them.

What disturbs the Office, however, in the draft of the American Institute of International Law, which will be submitted to the Rio de Janeiro Committee, is that in the declarations contained in its Preamble the draft does not seem to make any attempt to combine the rules of international law with the legal rules which may be special to the American continent. For example, the draft affects to ignore completely both the League of Nations and the International Labour Office. Nevertheless, the existence of these two institutions is not devoid of certain consequences in the sphere of positive public international law. But, what is more disturbing still, the draft, while appearing to ignore existing international institutions, reproduces almost verbatim a number of general conventions to which it endeavours to give a continental character. In particular, it provides for the setting up of a committee for the purposes of the international organisation of labour in America.

Here again, it is not for the Office to express its opinion as to whether the creation of a continental institute modelled on the League of Nations is useful in itself. But there may be some danger in the fact that the draft codification of American international law does not propose to provide for or to coordinate the relations between the proposed American institutions and the general existing institutions. This omission may possibly create inextricable legal problems and cause disputes as to competence which would be serious for international cooperation and harmony. No doubt, the American draft codification has been drawn up with the object of maintaining peace and promoting the development of public international law, but it must, it would



seem, negative these objects if the State, of the New World come to adopt it in its present form. The representatives of South America have always manifested in the International Labour Organisation such a sense of international solidarity that it is not considered an indiscretion here to appeal to the wisdom of their statesmen to secure the necessary amendments to the original draft.

11.— The only important countries which are still outside the Organisation are the United States of America, Mexico, the Union of the Socialist Soviet Republics, Turkey and Egypt.

The absence of the *United States* from the Organisation is still a matter for regret, not that its absence has affected the development of the Organisation, which during the last seven years has without America's participation organised its work of collecting and distributing information throughout the world, transformed into concrete fact certain beneficial social reforms and acquired an undisputed position of moral authority, but because this huge country of 120 million inhabitants is carrying out in economic and labour matters a number of experiments and innovations which would clearly be of more immediate value for the progress of humanity if the United States were a Member of the International Labour Organisation. Membership of the Organisation would enable the United States better to carry out its noble ideal of "service".

It was observed in last year's Report that a knowledge of the United States was becoming more and more necessary in view of the development of production, the application of scientific management and the new methods of industrial relations in that country. It would seem that the necessity referred to on that occasion has since been more closely felt: at any rate, a number of individual investigators, workers' missions (c.f. the German mission), official committees of enquiry (c.f. the English committee, which included workers, employers and impartial observers) have gone out to the United States to make investigations.

At the end of 1926 the Deputy Director, Mr. Butler, was sent on mission to the United States. He investigated more particularly the central problem of industrial relations, and his visit was the means of enabling the Office to renew useful relations and to get in touch once more with public opinion generally<sup>1</sup>.

Following the method which has been adopted for the more important States

which are not Members of the Organisation, the Office has endeavoured, by establishing closer and more regular methods of collaboration, to carry out the necessary work of collecting and distributing information to the advantage of both sides.

At Washington Mr. Butler inspected the work of the American Correspondent. The Office cannot but feel gratified at the scientific work done by its Correspondent: through his instrumentality no important investigations or general studies of the Office have had to go without information on the United States.

In previous Reports the Office has had occasion to express its gratification at the assistance it has received from the more important scientific foundations — the American Association for Labour Legislation, the Russell Sage Foundation, the Taylor Society, the Rockefeller Foundation. In three instances collaboration between the Office and the institutions concerned has taken a definite and organic form.

(a) As indicated in last year's Reports the Office had undertaken a study of migration movements down to 1920 on the request and with the financial assistance of the National Bureau of Economic Research. This study is nearing completion. The Office has been able to collect a very considerable body of entirely unpublished statistical information on migration. Going back to the earliest dates for which it has been possible to find figures the report in which the results of the study are embodied will provide a unique source of information on the question. The National Bureau of Economic Research has expressed its full satisfaction with the work which has been done, principally under the direction of Dr. Ferenczi.

(b) On previous occasions the Office has expressed the interest it takes in the scientific management movement. Special leave was given to one of the Office's officials, Mr. Devinat, in order to enable him to investigate this problem in collaboration with the Twentieth Century Fund. At its 8th. Session the Conference itself had before it a proposal made by Mr. Sokal on the subject, while the Governing Body also had a proposal submitted to it in a letter from Mr. Oudegeest; both proposals emphasised the importance of scientific management in economic reconstruction and in the solution of labour problems. In this field the needs of Europe and the experience of America should be brought together for the common good. Some representatives of the Twentieth Century Fund, Mr. Filene and Mr. Dennison, had set themselves to endeavour to secure the necessary collaboration, and there had been conversations between them and the Office. During the visit of the Deputy-Director these conversations led to satisfactory results.

<sup>1</sup> Mr. Butler has already submitted to the Governing Body a short report on the more outstanding impressions of his visit. He is at present preparing a more detailed report on the results of his investigations, and this report will appear very shortly.



In pursuance of an agreement between the Office and the Twentieth Century Fund an autonomous institution — the International Scientific Management Institute — was created in February 1927, with Mr. Devinat as Director and Mr. Percy S. Brown as an American Assistant Director. Some indications will be given in a later part of the present Report as to the conditions of the working of this Institute, its programme and its work. It is in any case a second and noteworthy example of collaboration with the United States.

(3) A further striking proof of the growing desire for such collaboration is furnished by the decision of an important industrial institution created at New York with a view to promoting closer collaboration between employers and workers to ensure their economic and material progress. This institution, the Industrial Relations Counselors, Inc., with the generous support of Mr. John D. Rockefeller, Junr., has appointed an American expert on industrial relations to be attached to the staff of the International Labour Office, being paid by the institution in question, for the purpose of strengthening contact with the Office and undertaking a careful study of industrial relations. This expert, Mr. Olzendam, has had a considerable number of years' experience of industrial conditions. Under the agreement entered into with the Industrial Relations Counselors, Inc., all his time and abilities will be at the disposal of the International Labour Office for the study of industrial relations. It may be hoped that the collaboration thus initiated will make it easier for the United States to have the advantage of the vast amount of information which the Office possesses and that the Office will have the greatest facilities for the study of the rapid and considerable transformations which American industry is undergoing at the present time.

This kind of full scientific collaboration, backed by financial assistance and above all based on the mutual confidence of enthusiasts for progress, is a first step which the Office has been able to take in the direction of practical collaboration with the United States. It is not perhaps impossible to go further.

During his visit Mr. Butler had opportunities of getting into touch not only with different scientific foundations but also with a considerable number of other bodies, missions, etc. — League of Nations Non-Partisan Association, the Foreign Policy Association both at New York and Boston, the Federated Churches of America, the League of Women Voters, the Young Women's Christian Association, the International Missionary Council, etc., all of which bodies take an interest in the work of the Organisation. Mr. Butler was also cordially received by representatives of the Government or the Ameri-

can public services : — Mr. Mellon, Secretary of the Treasury, Mr. Davis, Secretary of Labor, Mr. Grew, of the State Department, Mr. W. W. Husbands, Assistant Secretary of Labor, Mr. Ethelbert Stewart, Director of Labor Statistics, Miss Mary Anderson, Director of the Women's Bureau, Miss Grace Abbott, Director of the Children's Bureau, and other prominent persons in political and official circles.

Mr. Davis, the Secretary of Labor, promised Mr. Butler the active assistance of his Department in all that concerns the supply of information.

But whatever interest may be taken in the International Labour Office by important sections of public opinion, and whatever sympathy may be shown towards its work by the Government or by officials, it still seems impossible that the circles most directly concerned will take even an unofficial part in its work.

A year or two ago, about 1923, the possibility of a measure of unofficial but real collaboration with the Chamber of Commerce or the American Federation of Labor had been considered. But this idea has for the moment at least been completely abandoned. Mr. Butler was very cordially received by the United States Chamber of Commerce and the National Industrial Conference Board. He found that these organisations were very well informed on the work of the Office and that they took a genuine interest in it. But the President of the National Industrial Conference Board, Mr. Magnus Alexander, defined the situation as between his institution and the Organisation as one of "friendly co-operation without participation, at any rate for the present." The same attitude is adopted by the workers' organisations. Mr. William Green and Mr. Frank Morrison, President and Secretary respectively of the American Federation of Labor, were keenly interested in the work of the Office, as also was Mr. Victor Olander, President of the Illinois Federation of Labor. In spite of certain misconceptions as to the scope of the Office's work these representatives of labour showed a real desire to see their collaboration with the Office extended.

The American Federation of Labor, following the Samuel Gompers tradition, has manifested in a tangible way its sympathy and friendliness towards the Organisation. It has expressed the wish to furnish and decorate one of the Committee rooms in the Office, which henceforward will be called the Gompers room. The idea of participating in the International Labour Organisation, however, even by means of observers, has not gone any further.

As the Deputy-Director indicated in his report, as long as the attitude of the Government is unchanged it can hardly be expected that organised employers and workers can decide on any active participation in the work of the Office :



and it can hardly be said that the year 1926 saw any alteration in the attitude of the United States towards international affairs. The opposition in this country to its joining the Permanent Court of International Justice and the speech delivered by President Coolidge on this subject in October last in Kansas City seem to be characteristic of the prevailing attitude of the average American towards international politics. Perhaps, however, the increasing number of personal contacts and more intimate intellectual relations and the natural development of scientific collaboration will prepare the way for the future. The United States Government sent no representative to the last Conference of Labour Statisticians, but there is reason for hoping that an American member may be nominated to the Native Labour Committee. The Office has no doubt but that a common passion for justice will gradually bring humanity into a closer bond of union.

12. — Previous reports have given an account of the Office's relations with the Mexican Government and have shown that the hope which was at one time entertained that Mexico would take part in the work of the Organisation had had to be temporarily abandoned. The death of Mr. Nieto, the prudent and persevering diplomat who used his influence with his Government to secure Mexico's collaboration, and the important events which have occupied the full attention of the Mexican Government during the last few months have been obstacles in the way of a renewal of conversations.

This state of things is all the more to be regretted because the work which has been done by the Mexican Government on its labour and social questions would make the collaboration of Mexico most valuable. The work so far done has been directed towards consolidating and securing the observance of the laws already adopted and more particularly the Articles of the 1927 Constitution, initiating an agrarian policy to accompany the new distribution of land, the creation of an agricultural credit bank, the preparation of labour codes in the 20 States of the Confederation, increasing the part played by conciliation and arbitration tribunals, in short, developing an extremely interesting body of labour and social legislation.

President Calles said in one of his speeches—"I am the friend of the poor and humble in my country; I want to lift them from the condition in which I have found them and to raise their economic, social and intellectual level". Surely he can hardly help but appreciate the valuable assistance which the International Labour Organisation could give him in carrying out so comprehensive a policy.

It is to be hoped that the relations between Mexico and the other States of

Latin America which are Members of the Organisation and the relations between the active national workers' confederation in Mexico and the workers' organisations in Europe will hasten the necessary transformation of public opinion regarding the Organisation.

13. — The Office's relations with *Russia* have continued to develop during 1926.

The exchange of publications started a number of years ago between the Office and the different Government institutions, workers' and cooperative organisations and scientific institutions has become a regular thing and may almost be said to be now traditional. At the beginning of each year the request for renewing the exchange of publications does not come only from the Office but often from Russian organisations, which sometimes extend the range of questions on which they desire to have the Office's publications.

At present the Office exchanges publications with : —

(a) *Government institutions* ; the Commissariats of Labour, Justice, Finance, Commerce, the Superior Council of National Economy, the Council of Labour and Defence, the Central Statistics Administration of the U.S.S.R., and the Central Statistics Administration of the Ukraine.

(b) *Workers' organisations* ; the Central Council of the U.S.S.R. Trade Unions, the Central Council of the Ukraine Trade Unions and the Council of the Trade Unions of the Moscow *Département*, the Central Committees of the following trade unions — textile workers, transport workers, sugar, leather and wood workers, agricultural and forestry workers, agriculturalists and agricultural engineers, printers' operatives, workers in the fine arts trades, in municipal services, non-manual workers etc.

(c) *Cooperative organisations* ; the Central Unions of Consumers' Cooperative Societies, Agricultural Cooperative Societies, Artisans' Cooperative Societies and the All-Russia Council of the cooperative movement.

(d) *Scientific institutions* ; *L'Institut de Conjuncture* at Moscow, the Industrial Hygiene Institutes at Moscow and Cracow, the Communist Academy, the Lenin Institute and Archives.

By means of this exchange of publications and also by the continual acquisition by the Office library of publications appearing in Russia (by purchase and subscription) the Russian Service is becoming a more and more important centre for information on present-day Russia. It attracts an increasing number of foreigners who are studying Russian questions and come to consult on the spot the collection of books in the Office library. The authentic and varied sources of information which are thus available are



drawn on for the publications which the Russian Service issues, and, it may be confidently asserted, make these publications the most reliable mine of information on the conditions of modern Russia. Their objectivity and the accuracy of their information is constantly being appreciated and they are used by almost the whole press of the world.

In the Office's opinion, however, the essential thing is that the value of the information in the Office's publications on Russia should be generally recognised by the Soviet authorities. It is true that the opinions which they express are never, from the political point of view, free from reservations and criticisms. Nevertheless, it is recognised in Russia that the Office has a good knowledge of present conditions and of the policy of the Government and the workers' and other organisations. A detailed report on the Office's study on cooperation in Russia which was made to the Communist Academy recognised, in spite of the reservations made, that "the documents are carefully drawn up", "the book makes an attempt throughout to bring cooperative problems into touch with the special features of the Soviet State", "the subject has been scientifically treated and to some extent impartially", "the book contains many accurate judgments" and "it devotes many pages to a calm exposition of the subject which contains a number of criticisms but is none the less objective."

In regard to the information published by the Office on social insurance, Mr. Nemtchenko, Director of the Central Social Insurance Administration, stated at the Seventh Trade Union Congress that the interest taken abroad in the social insurance system in Russia was emphasised by the fact that the "International Labour Office has prepared a report on social insurance in Soviet Russia and has had on the whole to recognise the considerable results obtained in this country. If this is not expressly stated, it is clearly to be read between the lines of the report."

During the last year fresh efforts have been made to establish closer relations with the different institutions and organisations in Russia. The Office, for example, has asked the Soviet institutions to furnish it with information not only in the form of publications but also in the form of direct replies to questionnaires (e.g. for the enquiries into the working conditions in mines, statistics of wages, the conditions of the engagement of seamen, the classification of industries, etc.), which are sent to Russia in the same way as to the public Departments in other countries. The Office has also endeavoured to submit to review by the Government institutions concerned the information collected by its Russian Service on certain definite questions; for example, the draft of the

report on sickness insurance in Russia was sent to the Labour Commissariat. So far, it is true, the Soviet institutions and organisations have not been too eager to give replies and information in these instances. Nevertheless, in connection with the report on sickness insurance the Labour Commissariat has recently sent to the Office the views of its competent services, with observations and supplementary information. Numerous cooperative organisations, moreover, have sent to the Office considerable information on their organisation and work, for the part on cooperation of the new edition of the International Labour Directory.

The Soviet Press which deals with labour questions continues to follow the work of the Organisation. The review of the Labour Commissariat *Labour Questions*, and *Labour Hygiene* which is also issued by the Labour Commissariat, have published articles and notes on several aspects of the Office's work.

Although the Soviet institutions and press officially repudiate the Organisation and the work of the Office, they still make use of its investigations on social and labour questions. The Office's publications on these questions are followed in Russia with interest and are generally favourably received. According to a review appearing in *Labour Hygiene*, No. 2 of 1926, the Office's Encyclopedia of Industrial Hygiene "undoubtedly makes a valuable contribution to the literature on industrial hygiene. It is to be hoped that it will be completed at an early date." Similarly favourable comments have been made on the Office's *Wage changes in various countries* (*Socialist Economy*, No. 6, 1926 and *Statistical Messenger*, No. 1, 1927) and on the *Enquiry into Production* (*Rational Economy*, No. 1., 1927). The publication of the Labour Commissariat *Labour Legislation Abroad* uses the Office's Legislative Series as well as the bibliographical list of legislation published in the *International Labour Review*. Again, the Office's publications are not only used in Russia in their original form, but the Soviet Government itself sometimes has them distributed in Russian. For example, the Labour Commissariat has, on its own initiative and without informing the Office, published in Russian the Office's *European housing problems since the war*, *Protection of eyesight in industry—problems of industrial lighting*, *Sickness Insurance*, *Unemployment Insurance*, *Methods of Statistics of Industrial Accidents*. Of the last publication *Labour Questions* (No. 4, 1926) says that "it is written in such a way as to be accessible to everybody and should be of interest to many readers," and that its publication in Russian has been undertaken because it would be a matter for regret that a work of that kind should be unknown to Russian readers.



Despite this kind of scientific and intellectual collaboration between the Soviet country and the Organisation, the position of the Soviet Government vis-à-vis the League of Nations is still unchanged. The last statements made by official representatives of the Government as well as in the journal of the Commissariat for Foreign Affairs show that the Government maintains its refusal to join the League of Nations. The official journal of the Government of the U.S.S.R. says that "it shows a poor understanding of the bases of Soviet foreign policy to believe that Russia could join the League of Nations" (*Izvestia*, 17 November, 1926), and that "the authors of such proposals should know that the U.S.S.R. will not approach the League because that would mean that the U.S.S.R. would be joining the united front of the capitalists, with whose decisions it would then be obliged to comply, in accordance with the legal rules of the League of Nations" (*Izvestia*, 25 November, 1926). The Commissary for Foreign Affairs, Mr. Tchitcherin, while passing through Berlin, stated to journalists on 6 December 1926—"I can hardly refrain from truly Homeric laughter when I hear certain sages who endeavour to persuade us that joining the League of Nations is a guarantee and could be of use to us to prevent isolation. We believe, on the contrary, that if we join the League of Nations, far from increasing our security we should be appreciably diminishing it. To join the League would not decrease our isolation, but would place us in a position of dependence on other States and would only help to augment the power of the State which had the preponderating influence in Europe" (according to *Augure*). "The U.S.S.R. will not be hoodwinked. Any one who claims that the U.S.S.R. will enter the League of Nations is just violating the truth (not to use a stronger term). To circumvent and avoid isolation our policy is to establish lasting political relations and more developed economic contacts with the other States. We shall not fall into the trap of the League of Nations" (*Izvestia*, 8 December, 1926).

Whatever be the radical attitude affected in such statements as these, it is doubtful whether Russia will be able for long to stand outside the community of nations and whether she will be able to distinguish, as Mr. Tchitcherin claims, between political relations with the different countries and collaboration with the League of Nations. Russia has recently concluded purely political treaties, so-called "neutrality treaties", with Turkey, Germany, Latvia and Lithuania. She has also concluded a number of economic treaties with Germany (rights of establishment and legal status of citizens of the two countries, navigation agreements, fiscal agreements, agreement on commercial property, etc...), and has also entered into

commercial agreements with Norway, Poland, Denmark and Finland. But, more important still, the U.S.S.R. during the last year ratified the following international conventions to which the former Russian Empire had adhered :

(a) the 1884 Paris Convention on the protection of submarine cables, (b) the 1910 Brussels Convention on collision and assistance at sea — in this connection certain additions have been made to the Soviet Penal Code, (c) the 1909 international Convention on the circulation of automobiles, (d) the 1911 international Convention on the international protection of seals, (e) the 1903 international Arrangement relating to the creation of the International Public Health Office, and (f) the international hygiene Convention of 1912.

Again, a Conference took place at Berlin in December 1926 to establish direct railway communications between the U.S.S.R. and Central Europe.

Further, the U.S.S.R. has taken part in the work of the Advisory and Technical Committee on Communications and Transit of the League of Nations, in regard to questions affecting inland navigation. On the initiative of the Soviet Government representative, this Committee decided to organise an international enquiry into the conditions of labour in inland navigation, which the International Labour Office has been instructed to carry out.

Besides, as Russia does not now play the part in world economy which it did before the war, its present needs, it would seem, are bound to cause it to change its present position of isolation. The slow but sure and continual transformation of its internal conditions will impel it, more rapidly than it thinks, to take a more and more active part in international life.

The year 1926 has given fresh proof of these changes. Russian national economy continued to improve during the year, but at a somewhat slower pace. New difficulties have arisen.

I. While the area under crop and the harvest of cereals increased during 1925-1926 in the almost same proportions as in the preceding year (about 6 per cent.), the cultivation of industrial plants and beetroot has either not been increased or even been appreciably diminished. The intensification of the working of the land by the peasants which seemed likely has not made much progress.

As the harvest of cereals in 1926 was good, like the harvest in the preceding year, the prices of wheat in the home market rose considerably in the beginning of the year, but then fell during the second half. The export of wheat was greater than in the preceding year (120 million *pouds* in 1925-26 as against 21.3 million *pouds* in 1924-25 and 168.7 in 1923-24) and has contributed to raise the



total export figure. On the other hand, the decrease in the production of industrial plants caused a rise in their prices, with the result that industrial raw materials became dearer and that the costs of industrial manufacture were increased.

2. The production of the great State-owned industries increased by 40 % (60 % in 1924-25), the number of workers employed by 24 % (20 % in 1924-25), output by 12 % (41.4 % in 1924-5), nominal wages by 23 % (24 % in 1924-5), real wages by 12 % (23 % in 1924-5). Turning to the various branches, the production of coal increased by 51 % (7 % in 1924-5), the production of naphtha by 18 % (17 % in 1924-5), cast iron by 70 % (97 % in 1924-5), steel by 54 % (88 % in 1924-5), sheet iron by 53 % (97 % in 1924-5), cement by 74 % (103 % in 1924-5), cotton fabrics by 33 % (78 % in 1924-5), woollen fabrics by 29 % (68 % in 1924-5), linen fabrics by 27 % (21 % in 1924-5), paper by 14 % (11 % in 1924-5), sugar by 130 % (20 % in 1924-5).

3. Home trade as a whole increased by 53 % (41 % in 1924-5), the Moscow Stock Exchange turn-over by 27 % (92 % in 1924-5), the turn-over of the seventy Provincial Stock Exchanges by 31 % (133 % in 1924-5), railway goods traffic by 40 % (22 % in 1924-5) and the average number of wagons loaded daily by 38 % (28 % in 1924-5).

Foreign trade increased by 9.9 % (34.6 % in 1924-5), exports having gone up by 16.1 % (10.1 % in 1924-5) and imports by 5 % (63.8 % in 1924-5).

4. The monthly average note circulation increased in 1925-6 by 53.7 % (93.1 % in 1924-5), but the increase during the course of the year was only 17.5 % (as compared with 82 % during the year 1924-5).

Current accounts in the State Bank of Russia and in the four most important banks diminished in 1925-6 by 3.3 % (as against an increase of 103.8 % in the preceding year). Discount and loan operations increased by 28 % (compared with 126 % in 1924-5).

5. Index numbers of prices (1913=100) were: for wholesale prices 186 (179 in 1924-5 and 170 in 1923-4), for retail prices 232 (212 in 1924-5 and 198 in 1923-4), for the cost of living 220 (202 in 1924-5 and 196 in 1923-4). The purchasing power of the *chervonez* based on retail prices was 43.2, taking its nominal value at 100 (47.4 in 1924-5, 50.9 in 1923-4, 73.9 in 1922-3).

6. The national budget increased by 32 % (28 % in 1924-5). The budget forecast for 1925-6 was not realised, the revenue from taxes and duties being 200 million roubles under the estimate. The average total tax per head of the population estimated for 1926-7 is 15.30 gold roubles, as compared with 15.20 gold roubles in 1913 (12.42 gold roubles in

1925-6, and 9.37 gold roubles in 1924-5).

Notwithstanding certain undeniable improvements Russian national economy as a whole is passing through a period of serious difficulty and trial.

Neither in the case of agricultural production nor in industrial production has the pre-war level yet been attained. The area under cereals has not exceeded 94 % of that in 1913, while the production of cotton, beetroot and tobacco is far below that of 1913. In comparison with that year the output of coal is only 73 %, of naphtha 92 %, cast iron 52 %, steel 67.7 %, sheet iron 59.6 %, woollen fabrics 88.7 %, metal industries 61 %, certain chemical industries 75 %, but the manufacture of cotton fabrics, woollen fabrics and the production of cement are respectively 30 %, 50 % and 36 % above the pre-war figures.

The average annual real wage is only 92.6 % of the pre-war figure.

Exports were only 29.2 % and imports 34 % of the 1913 figures.

The total capital of credit institutions was only 29.4 %, bank deposits and current accounts 11.5 %, discount and loans 38 % and savings bank deposits 7 % of the 1913 figures.

During 1926 the dominating problem in Russian national economy was capital, this problem becoming more urgent as the national economic conditions improved. On this problem depends the solution of all economic, social and political questions which will arise during the forthcoming years, according to the opinion of the leading men in Russia and all Russian economic literature.

The re-establishment of stable economic conditions in the country areas and the increased incomes of the urban population which have taken place during the last two or three years have given rise to an increased demand for the products of current consumption on the part of the population. In order to satisfy these requirements the Government first endeavoured to increase the production of those trades which supply articles of current consumption, usually known as light industry. The only way in which this object could be attained by the Government was by setting to work every year a greater number of the undertakings which had been stopped during the period of communism and the years which followed the introduction of the new economic policy. In proportion as more undertakings were set to work recourse had to be had to machinery more and more out of date, worn out and practically ruined. It consequently became necessary to stimulate the activities of the heavy industry which furnishes the means of production. For the heavy industry, however, the need of renewing machinery was still more acute than in the case of the light industry, with the result that a considerable amount of fresh



capital had to be found for investment in the former. The capital required, however, could only be found if the population and the industrial undertakings accumulated fresh capital or if the importation of machinery, technical appliances and raw materials was increased, or, again, if foreign capital could be attracted. The new capital requirements for industry alone for the years 1927-30 are estimated at 5 milliard gold roubles, while for the economic life of the nation as a whole it is estimated that 16 milliard gold roubles are required.

As a matter of fact, however, the capital accumulated in the country in 1925-6 did not exceed 500 million gold roubles (as compared with 1500 million gold roubles accumulated annually before the war). The capital required could only be accumulated in industry itself by means of internal savings or through State grants, either provided for in the budget or in the form of bank credits.

Internal savings can only be effected through increased net profits, which in their turn can only be obtained by diminishing the cost of production or by increasing prices. The latter solution is considered dangerous because the prices of industrial products are already too high (the selling prices fixed by the Government rose in 1925-6 by 1.5 %) and are out of proportion with the price of agricultural products. Both from the economic and political standpoint this disproportion is having serious effects.

The attempts made during the past year to diminish production costs were not crowned with success. In fact, costs of production increased by 13.3 % on the average throughout industry as a whole, the percentage varying from 1.9 % to 98.5 % in the various branches. This increase is attributable to the rise in price of raw materials, the increased cost of labour (which was 16.3 % of the total cost of production in 1924-5 and 17 % in 1925-6) as well as to the increased cost of building materials.

In these circumstances the additional capital required could practically only be obtained from Government subsidies. During the last three years (1923-6) Government subsidies have reached the total of approximately 1400 million gold roubles.

From the end of 1925 until the end of the first quarter of 1926 note and credit inflation was extended considerably and caused higher prices and a fall in the purchasing power of the *chervonez*, with the result that the peasants were reluctant to place agricultural produce on the market. The Government was consequently compelled in 1926 to restrict credit and borrowing. The effect of these restrictions was immediately felt by industry in the form of considerable financial stringency, which in turn affected the State Bank, as the Government factories were compelled to

withdraw considerable sums from their current and deposit accounts (the reduction in these items has been referred to above).

As the State Bank did not dispose of sufficient resources in the way of ordinary balances, recourse was had to the issue of notes, which again played a considerable part in the new resources at the Bank's disposal (up to 61 % of the total). The system of credits as a whole resulted in a deficit which it only been possible to meet by employing part of the funds in hand and a part of the gold reserves of the State Bank.

On the strength of the good harvest in 1925 the Government had drawn up an export scheme up to 1100 million roubles (as compared with 462 millions in 1924-5) and an import scheme amounting to 950 million roubles—i.e., with a credit balance. Orders were sent abroad on the basis of these schemes.

The export expectations were not realised. During the first half of the year the price of agricultural produce on the Russian market remained higher than prices on the world market, owing to the high cost of running the foreign trade monopoly, while the export of wheat and other agricultural produce had to be reduced from the figure originally contemplated. The chief obstacle in the way of Russia's export trade during 1925-6 lay in the difference between the value of the *chervonez* abroad as fixed by the Government and its uncontrolled value according to the balance in foreign securities on the Russian market. While the official rate remains at 1 dollar = 1.95 *chervonez* roubles and £1 sterling = 9.44 *chervonez* roubles, i.e., at pre-war parity, the value of the dollar and rouble according to their respective purchasing powers was 2.30 roubles for one dollar while the relation of sterling and roubles was 12 roubles for \$1 sterling. This difference made exports a loss to Russian producers and merchants.

The reduction in exports meant fewer imports than had been anticipated, but the reduction in imports was less than in the case of exports. Consequently, instead of the credit balance anticipated by the Government there was a debit balance of about 90 million roubles. A considerable growth of smuggling followed upon these difficulties in the Government import scheme, and this increased the demand for foreign securities on the Russian market. To meet the deficit and to maintain the *chervonez* at par, the Government through the State Bank had to utilise some of its gold reserves and foreign securities, the value of which consequently dropped by 40 million gold roubles from the beginning of the year. Cover for the note issue fell from 35 % to 27.1 %, gold cover from 24.4 % to 17.9 % (legal cover in gold and foreign securities is 25 %).



The consequences of the events referred to were the fall in the *chervonez* alluded to above and in its purchasing power on the Russian market, and greater difficulties both as regards note circulation and the general financial situation. Further, the necessity of importing machinery and raw materials first of all rendered it impossible to mitigate the crisis in articles of current consumption, and this further contributed to increase the real value of the currency and to diminish real wages.

It will thus be seen that the crisis which once more occurred in Russian economic conditions last year, and the effects of which are still felt, is closely linked with the problem of the economic relations between Russia and the rest of the world.

The partial economic isolation in which Russia has continued during the last ten years will become more and more difficult for her to maintain, especially for her industry, if her general economic conditions are to continue to improve.

Russian trade, which in 1913 amounted to 4 % of that of the whole world, was only 1 % in 1925-6. Russia's corn trade fell from 27.8 % of the world trade in 1913 to 7.7 % in 1925-6, her wood trade from 26 % to 8 % and her flax trade from 64 % to 30 %.

Moreover, exports of food products and live stock fell in 1924-5 to 13 % of the 1913 figures, while the export of raw materials fell to 42 %, the import of raw materials to 25 % and imports of manufactured goods to 26 % of the same figures.

Before the war the amount of foreign capital invested in Russia was estimated at about 2 milliards of gold roubles; to-day it is only 20 millions gold roubles.

Exports from Great Britain to Russia fell from 3.4 % in 1913 to 0.8 % in 1925, while imports have fallen from 5.7 % to 1.9 %. German exports to Russia are only 5.1 % and imports from Russia 10.7 % of their pre-war values. Exports from Germany to Russia were 8.7 % in 1913 but have fallen to 2.8 %, while its imports from Russia have fallen from 13.2 % to 1.8 %.

For economic reasons, then, and above all in her own interest, Russia will be driven to take a more active part in world trade.

It may be asked, however, whether the development of international economic relations will not involve a parallel development of relations in labour questions and eventually political questions.

This general question of the relations between Russia and the rest of the world was discussed in the usual way, with a certain amount of theoretical detachment, at the last Congress of the Third International at Moscow in December 1926. On that occasion M. Trotsky made the following remarks:

"Is it possible to exclude Russia from the economic life of the rest of the world?

No. We need machines and tools for our factories. Before the war we imported 67 % of such articles from abroad; at present the process of re-establishment is complete and it is again necessary to import equipment from abroad. Our economic life is only a part of the capitalist economy of the world. The industrialisation of the country does not imply a lessening of our dependence on other countries during the period ahead, but just the opposite. A Socialist State can only live in isolation in the imagination of a journalist or of the author of a resolution. World conditions govern every branch of our economic life, even under the dictatorship of the proletariat. Those who maintain the possibility of Socialism in a single country without taking account of the fact that we are penetrating more and more into the economic system of the whole world are merely talking metaphysics. Our revolution is part of the proletarian revolution of the world, and it is precisely for this reason that we cannot pretend to establish Socialism in our country alone<sup>1</sup>."

On these arguments M. Trotsky based his conclusion that the establishment of socialism in Russia was only possible with a world revolution. On the other hand, the Central Committee of the Communist Party claimed to show through Mr. Stalin that the realisation of socialism in a "single country" was proved to be possible by Russian experience.

The Office makes no pretension to decide between the theoretical exponents of Bolshevism. One point stands out, however, from the animated discussions which have so deeply stirred the Russian Communist Party, namely, that it is obsessed by no question so much as by international relations. What seems to emerge from underneath the revolutionary language which is used is that the necessity of adopting a practical and opportunist policy in accordance with the real state of affairs is being increasingly recognised.

Urged forward by pressing and irresistible requirements, the great country which has played so active a part in international life in the past will have to join, no doubt in the near future, in the efforts which are being made to organise the community of nations on new bases.

Perhaps the day is not far distant when this development will take place. As the present Report is going to press, the Office has received news of the agreement concluded between the Swiss Federal Council and the Soviet Government. The boycott is raised, the state of economic war between the two countries is at an end, and thus vanishes the material argument of the Soviets against their participation in the work of Geneva.

<sup>1</sup> *Izvestia*, 14 December, 1926.



14. — The Office has continued to have some relations, though in fact intermittent, with the *Turkish* Government and public Departments, and has thus been able to note the persevering interest which this Government takes in labour questions. Although the Labour Code which last year's Report stated was being prepared has not yet been entirely adopted or put into force, the Office has, on the other hand, followed with sympathetic attention the reforms undertaken for the development of agricultural labour, increasing the amount of cultivated land, improving methods and equipment, and abolishing tithe, which latter reform has lifted a real fiscal burden from the small tenant and share farmers.

15. — There is no change to report in regard to *Egypt*. The Office has maintained the relations which had been established between it and the Egyptian public services. As the Office was more especially in touch with the Statistics Department at Cairo, it invited this Department to send a representative to the Third Conference of Labour Statisticians. The Egyptian Government, however, was not able in time to take the necessary measures for its representation at this Conference, and expressed its regret to the Office.

The Office has further indicated to the Egyptian Government its desire for closer collaboration in regard to the supply of information. The Egyptian Government has promised to examine the Office's proposals and to communicate its decision. It is to be hoped that the question of the ultimate admission of Egypt into the League of Nations, which has already been raised at least unofficially, will be suitably settled in the near future.

16. — A somewhat delicate matter and one which affects the United States has been raised by an application which the Government of the *Philippine Islands* has made on its own initiative for admission to the International Labour Organisation.

The Office has explained to this Government the difficulties which such an application might raise, especially by reason of the constitutional position of the Philippine Islands vis-à-vis the United States of America. These difficulties have been recognised by the Government of the Philippine Islands, which, however, is still anxious to take part in the work of the Conference and has asked to be invited to send observers to this year's Session.

While fully appreciating this second application, the Office has had to reply that it has no authority to issue such invitations. As a matter of fact, the Office can only invite to take part in the work of the Conference States which are Members of the Organisation. States which are not Members of the Organisation and wish to take part in the work of the Conference, by sending a regular delegation

or mere observers, can only be formally invited to do so by the Office on definite instructions from the Conference. The decision must always rest with the Conference: delegates will, no doubt, recall in this connection the precedents of Germany and Finland.

The Office, then, replied to the Philippine Government that, if it sent observers to this year's Session, its observers would certainly be welcomed by the delegates to the Conference and that the Conference would endeavour to give them facilities for carrying out their work.

The Conference will recognise that it was difficult for the Office to go any further. Should the Conference consider it possible to regularise in some form or other the collaboration of the Philippine Government in its work, it will have to consider carefully the constitutional aspect of the question, which is at present felt to be somewhat delicate, in order to avoid putting the International Labour Organisation and the Philippine Government in a difficult position vis-à-vis another Government.

In any case, the Office has already been endeavouring to develop cordial relations with the Government of the Philippine Islands and, in agreement with it, to organise regular collaboration between it and the Office for the information of both sides. The Philippine Islands, indeed, constitute a country which has more than 10 million inhabitants, and can furnish the Office with valuable information on the conditions of work in force in that part of the world.

17. — The Industrial Chamber of the *Saar Territory*, which was created by an Ordinance issued by the Governing Commission on 18 September 1925, began its work on 2 March 1926. The functions of the Chamber are to submit to the Governing Commission opinions and recommendations on questions which affect primarily the improvement of conditions of labour and to consider the possibility of applying in the Saar Territory "the decisions and Draft Conventions adopted by the International Labour Conference."

The Industrial Chamber is composed of 18 employers' members and 18 workers' members who hold office for two years. Of the 18 workers' members 10 belong to the Free Trade Unions, 7 to the Christian Trade Unions and 1 to the *Hirschdunker* Trade Union. Further, the workers' members are distributed as follows: miners (7, including 1 non-manual worker), iron and steel workers (6, including 1 non-manual worker), workers in the glass, wood and building industries (2), transport workers (1), commercial employees (1), artisans (1). The 18 employers' members are drawn from the different industries, as follows: mines (7), iron and steel industries (6), glass, wood and building industries (2), transport industries (1), commerce (1), artisans (1).



The Governing Commission has nominated a manager of the Chamber and a librarian who deputises for the manager during the latter's absence, and the Governing Commission is represented on the Chamber by a Commissioner. The administration of the Chamber is under the supervision of the Labour Office of the Governing Commission which acts as the inspecting authority.

The executive of the Chamber consists of the Chairman, a Vice-Chairman, two assessors and the manager. The Chairman is appointed in turn by one or other of the two groups represented on the Chamber for a period of six months. At the first Session the Chair was taken by a workers' member.

At the first Session the Industrial Chamber appointed the following Committees composed of 4 or 5 representatives from each group: Committees on labour law, social insurance, questions of apprenticeship and vocational training, social welfare and general labour questions. If its presence is required the executive of the Chamber takes part in the discussions of the Committees.

Up to the present the Chamber has been dealing with the following questions (the opinions expressed by the Chamber have in most cases been put into effect by Ordinances issued by the Governing Commission): the Chamber's Standing Orders, amendment of provisions affecting the employment of seriously disabled persons, development of employment exchanges. On the latter question the Saar Labour Office called the attention of the Chamber to the provisions of the Washington Convention on unemployment. The Chamber took this Convention into consideration and in the opinion which it expressed it recommended that existing employment exchanges should be re-modelled on the lines of exchanges organised on a joint basis with the collaboration of employers and workers.

The Chamber has, moreover, expressed opinions on increasing contributions and benefits in the different branches of social insurance. Taking advantage of the power it has to make recommendations the Chamber has submitted a number of general recommendations to the Governing Commission. In addition, the various Committees of the Chamber are at present discussing recommendations on the following questions: extending the powers of the labour inspectorate, regulating the hours of work of non-manual workers, regulating periods of notice for non-manual workers, and the protection of workers who are members of the Chamber's Committees.

So far the Chamber has held 6 plenary sessions, and the Committees have held 28.

It is no doubt too early to form an opinion on the working of the Saar Industrial Chamber. It may be said, however, from the information which the Office has received, that the initial difficulties

have been overcome owing to the spirit of mutual understanding which has been shown by the workers' and employers' members. The two parties are prepared to collaborate fully and frankly and to give the Industrial Chamber a chance of carrying out the purpose for which it was created, i.e., primarily, the maintenance of social peace in the Saar territory.

### *Composition of the Conference*

18. — In 1925 323 delegates or technical advisers, representing 46 States, took part in the Conference. In 1926 the number, both of the delegates and advisers and of the States represented, was slightly less. It will, however, be realised that this diminution was naturally due to the fact that the questions on the agenda of the 8th. and 9th. Sessions were of a somewhat special character. At the 8th. Session 39 States were represented by 244 persons, while at the 9th. Session 38 States were represented by 270 persons.

As in previous years, protests were entered against the credentials of some of the delegates. At the 8th. and 9th. Sessions the credentials of the Italian workers' delegate and of the Indian employers' delegate were disputed, and at both of these Sessions it was considered by the Credentials Committee, after an examination of the protests made against the nomination of these two delegates, that they had been nominated in conformity with Article 389 of the Treaty of Peace, and the validation of their credentials was consequently proposed. In both cases the Conference upheld the opinion of the Credentials Committee.

At the 9th. Session protests were made against the nomination of the Belgian workers' delegate and of the British workers' delegation. In both cases the Committee again considered that the provisions of the Treaty had been complied with and consequently proposed that the mandates of the Belgian workers' delegate and of the British workers' delegate and technical advisers should be accepted.

At the 9th. Session also a question of principle which was not without considerable interest was raised in connection with the protests made against the mandate of the Italian workers' delegate. The question was whether protests made by international organisations were admissible. The way in which the Conference dealt with this question is examined in detail later (c.f. § 26).

19. *Incomplete Delegations.* — At both the 8th. and 9th. Sessions of the Conference there was a noticeable proportion of complete delegations. For the first time since the Organisation was founded the complete delegations were more than twice as numerous as the incomplete delegations. There is every reason to be



satisfied with this circumstance, which clearly illustrates a tendency towards more complete equilibrium between the different groups of delegates, in fulfilment of the conditions laid down by the Treaty of Peace as requisite for the satisfactory working of the Conference.

The following table gives the figures for each year :

SESSION	No. of States represented by complete delegations.	No. of States represented by one or more Government delegates only.	No. of States represented by incomplete delegations composed otherwise.
Washington, 1919.	24	14	2
Genoa, 1920. ....	16	7	4
Geneva, 1921. ....	25	14	0
Geneva, 1922. ....	20	17	2
Geneva, 1923. ....	23	16	3
Geneva, 1924. ....	24	14	2
Geneva, 1925. ....	29	13	4
Geneva, 1926 (ordinary Session)	28	8	3
Geneva, 1926 (Maritime Session)	27	8	3

As in previous years, the Credentials Committee of the 8th. Session requested the Government members of the incomplete delegations to indicate the reasons which had prevented their Governments from sending complete delegations. A special report on this subject was submitted to the Conference. Further, though it did not desire to go any further into the question of incomplete delegations, the Committee emphasised once more the numerous observations which had already been made on the subject and expressed the hope that the provisions of the Treaty of Peace relating to the composition of delegations would be more respected in future.

The Office, too, has kept this important question in mind. The efforts made by Governments to send complete delegations have been closely followed, and in some cases the Office has endeavoured to persuade a particular Government to send a complete delegation. The Office has also made a point of completing the documentary information in its possession on employers' and workers' organisations in order to enable the Credentials Committee and the Conference to form an idea of the size and importance of the various organisations.

In connection with this question of complete delegations, mention should be made of the noteworthy effort made by the countries of Latin America. Notwithstanding the serious difficulties involved in the sending of complete delegations from these distant countries, their number increases every year. In 1926, the delegation of Brazil included a representative of the Brazilian workers, in addition to the Government representatives and the

employers' delegate. A complete delegation was also sent by Chile, comprising two Government delegates, two technical advisers, an employers' delegate and a workers' delegate. Full participation by the countries of Latin America in the Conference is thus developing more and more. Complete delegations are now being sent by the Argentine Republic, Brazil, Chile, and Cuba. It is hoped that this example will soon be followed by Colombia, Peru, Uruguay, and Venezuela, whose Government delegates to the Conference have already strongly recommended their respective Governments to nominate complete delegations.

20. — It is satisfactory to note that the 8th. and 9th. Sessions of the Conference, like many of those which preceded them, were each attended in the case of several countries by the Ministers of the Departments concerned with the questions on the agenda. At the 8th. Session, for example, the Irish Free State was represented by the Minister of Industry and Commerce, Bulgaria by the Minister of Commerce, Industry, and Labour, and Latvia by the Minister of Social Welfare. In addition, the Danish delegation was headed by the Minister of Finance. Great Britain sent the Parliamentary Secretary to the Ministry of Labour, and France the Under-Secretary of State in the Ministry of Public Works who deals particularly with ports, the mercantile marine and fisheries. At the 9th. Session, the Irish Free State, Latvia, Denmark and France were represented by the Ministers who had been present at the 8th. Session, and Belgium sent the Minister responsible in matters affecting the mercantile marine.

#### *Legal questions raised by the working of the Conference.*

21. — Each year the working of the Conference raises certain legal questions. In 1926 two such questions, one of which is very important, were settled at the Conference. A number of other questions were referred for consideration to the Governing Body, and it will be for the Conference to take a decision in regard to them at its 10th. Session.

22. *Composition of committees and autonomy of groups.* — It was indicated in the Report submitted to the 8th. Session of the Conference that the system so far followed for the appointment of committees had raised certain difficulties. It was stated that Mr. de Michelis, the Italian Government representative, who considered that the Standing Orders of the Conference gave the groups too much scope in the appointing of committees, had proposed an amendment to Article 7 of the Standing Orders, and that the employers' group had also proposed an



amendment on similar lines. It is unnecessary here to explain these proposals; they were analysed in detail in the Report submitted to last year's Session of the Conference. The present Report, however, should at least mention the solution which has been adopted on these two proposals and record that the Conference at its 8th. Session did not find it possible to adopt the amendments to Article 7 of the Standing Orders proposed by Mr. de Michelis and the employers' group. In order to maintain the autonomy of the groups which has become traditional in the working of the Organisation, the Conference adopted a compromise amendment suggested by the Governing Body. The effect of this amendment, which is now in operation, is that the groups continue to take the predominating part in the appointing of committees, but that Article 7 of the Standing Orders is completed by a new paragraph which allows any delegate or adviser to be present at the sittings of committees and to "have the full rights of the members of such committees, except the right to vote."

23. *Double discussion procedure.* — At the 8th. Session of the Conference, however, another amendment to the Standing Orders, much more far-reaching than the above, was also adopted. A series of clauses was added to Article 6 embodying a new procedure for the adoption of Draft Conventions and Recommendations. This procedure will be applied for the first time at the 10th. Session of the Conference, and it is desirable that its origin and more important features should be briefly referred to.

Ever since the creation of the International Labour Organisation the Conference has been active in drawing up Draft Conventions and Recommendations. By the end of 1921 the Conference had already adopted at its first three Sessions 16 Draft Conventions and 18 Recommendations. It then became clear that the rapidity with which the work of the Conference was conducted was quite out of proportion with the slower parliamentary procedure in the various States Members of the Organisation, and that the creative activity of the Conference would have to be moderated if the ratification of Conventions was to keep pace with their adoption.

Another point which became clear in the light of experience was that in many cases comparatively unimportant clauses in Conventions were sufficient to prevent their ratification. Various forms of procedure were thought of to overcome this drawback. In 1922 the Conference considered the adoption of an "amendment procedure" which would have enabled changes on points of detail to be made in Conventions without destroying their legal existence. The serious constitutional difficulties raised by this proposal prevented

its adoption, and the Conference pronounced in favour of another procedure which was provisionally adopted in 1924. The latter procedure, which was termed the "double reading procedure" consisted in taking a vote on Draft Conventions at two successive sessions of the Conference. If the Conference at the first session voted in favour of a Draft Convention this was treated as a preliminary measure, and each Government was entitled to propose amendments before the final vote at the following session a year later.

The double reading procedure had the advantage of overcoming two of the drawbacks which it had been desired to remove since 1921. In the first place, it moderated the rapidity with which Conventions were previously adopted, since it required two sessions of the Conference instead of one for their adoption. There also seemed reason to expect that, as more time was available for the examination of the questions concerned and the Governments were authorised to propose amendments to the texts provisionally adopted, the provisions of each text would be more carefully worked out under the new procedure and the difficulties of detail which had prevented the ratification of former Conventions would be avoided.

The double reading procedure was applied in 1925: its application at once disclosed serious practical difficulties. It was found that the amendments proposed by the Governments were by no means confined to such modifications of detail as had been originally intended in proposing the procedure. So far from this being the case, they proposed to alter the drafts adopted at the previous session on essential points. In these circumstances the Conference had to undo the work which it had already achieved and to re-enter on discussions identical with those which had taken place a year before. Further, practically every clause of the provisional texts was contested, and, so far from ratification of the final texts having been facilitated, it may be said that the opposition to each Convention, even before it came into existence, had become still more deeply rooted.

Seeing the results of the actual working of the double reading procedure, many of the delegates at the Conference expressed the opinion that it should be abandoned. After a considerable amount of discussion a resolution was adopted at the end of the 7th. Session of the Conference in 1925 by which the Governing Body was instructed to examine the question and to submit a report at the following Session.

The Governing Body carefully went into the question, and made a proposal to the Conference to the effect that a system which might be termed the "double discussion" procedure should be substituted for the double reading procedure. These suggestions were approved as a whole at the 8th. Session of the Conference, and



the provisions which now form paragraphs 4-7 of Article 6 of the Standing Orders of the Conference were adopted.

The principal difference between the double discussion and the double reading procedure lies in the fact that under the former each question on the agenda of the Conference will be the subject of two discussions quite distinct in character. The first discussion will be by way of a general discussion which will so to speak trim the subject under consideration; at the conclusion of the discussion the Conference will decide by a two-thirds majority whether the question should be placed on the agenda of the following session and define the points to be dealt with in the Questionnaire to be submitted to the Governments. The second discussion will take place at the following session which will vote on the adoption of a Draft Convention or Recommendation. In short, the first session of the Conference will proceed to a general discussion and the second will discuss definite proposals.

This system has all the advantages of the double reading procedure which it replaces. It will improve the work of the Conference by making it more thorough and less hurried. After the general discussion and the suggestions which it may bring forth, the Conference will be able a year later to frame the Draft Conventions and Recommendations which it may consider desirable to adopt, with full knowledge of the facts. On the other hand, the disadvantages of the double reading appear to be eliminated by the new procedure. The Conference will hold two discussions quite distinct in character and there will be no danger of recommencing in vain the same discussions after an interval of a year. Moreover, there will, under the new system, be no formal proposals to be subjected to prolonged criticism during the intervening twelve months, and as the first discussion will be of a general character there will be no fear of that consolidation of attitudes which would prevent any agreement being reached and thus nullify the value of the second discussion.

Experience will show whether the new procedure will produce all the expected advantages. It will be applied for the first time at the 10th. Session of the Conference. It should, however, be mentioned that as a transitional measure a resolution was adopted at the 8th. Session of the Conference in virtue of which the subject of sickness insurance on the agenda of the 10th. Session will be considered as having already passed through the first discussion stage and can accordingly be dealt with immediately by a Draft Convention or Recommendation. It will be remembered that the question of sickness insurance has been already discussed in a general way by the Conference during the discussion in 1925 on social insurance. The new double discussion procedure will therefore only

apply at the 10th. Session of the Conference to the questions of freedom of association and minimum wage fixing machinery.

24. *Composition of committees: substitutes, distribution of Governments on committees, proportional representation in the groups.* — The 8th. Session of the Conference decided to refer for consideration to the Governing Body three proposals for amendments to the Standing Orders of the Conference which were made at that Session.

The first proposal came from the Government group. It consists in making an addition to Article 7. E. of a new paragraph which would allow the chairman of a committee to fill by means of substitutes the places of members of the committee who are absent at the opening of the sitting. The effect of this proposal would be to maintain in each committee the balance between the Government, employers' and workers' groups.

The second proposal is to amend Article 21 of the Standing Orders on the working of the groups by specifying that the members of the Government group must indicate the committees on which they desire to sit. The object of this amendment is to facilitate distribution of the representatives of the different States on the committees. It was originally proposed by Sir Louis Kershaw, the Indian Government delegate, and was eventually put forward in an amplified form by the Government group at the Conference.

The third proposal, made by Mr. Scrarrens, workers' delegate of the Netherlands, is that the system of proportional representation should be introduced in the elections in which the groups have to take part. It will be seen at once that this proposal raises very important questions of principle.

These three proposals for amendments to the Standing Orders, which were referred by the 8th. Session of the Conference to the Governing Body for consideration, have not yet been fully examined at the time of writing. The Governing Body at its 34th. Session in January 1927 instructed its Standing Orders Committee to examine the three proposals, and a report on them will be submitted to the Conference.

25. *Appointment of group secretaries.* — The 9th. Session of the Conference, which dealt exclusively with maritime questions, was held in June 1926, immediately after the 8th. Session. In the course of its work two legal questions were raised. The one concerned the election of group secretaries, and the other concerned the admissibility of protests against nominations of delegates. The Governing Body considered these two questions at its 34th. Session (January 1927) and is submitting a special report on them to the Conference. It will therefore be sufficient to indicate briefly here how the two questions came to be raised and how



the Governing Body proposes that the Conference should deal with them.

The question of the appointment of group secretaries was raised by Mr. de Michelis, the Italian Government delegate, who pointed out that the workers' group had selected as its Secretary and as its Chairman persons who were not members of the Conference. The officers of the Conference ruled that the Chairman of a group must be selected from among the members of the Conference, both on account of the position which he occupies both under the Standing Orders and by the nature of his functions and in accordance with the practice which had always been followed up till that time. The question of the appointment of secretaries, however, was considered much more delicate and on Mr. de Michelis's proposal the Conference referred it to the Governing Body for consideration.

As the groups are composed exclusively of members of the Conference (delegates or advisers), it is clear that the appointment of a person who is not a member of the Conference as secretary of a group means that such person becomes secretary of a group of which he is not a member. Mr. de Michelis's proposal was a protest against such a position.

The Governing Body, however, approving the proposals of its Standing Orders Committee, did not feel that it could endorse the views of the Italian Government representative. Its decision was based on three essential considerations. In the first place, Article 21 of the Standing Orders provides that each group shall elect at its first meeting a Chairman, a Vice-Chairman and a Secretary. This Article does not lay down any condition of eligibility, nor does any other provision of the Standing Orders clearly make it necessary that the secretaries of groups must be members of the Conference. In the second place, a secretary of a group has no power of initiative or directive: he is to some extent an official whom the groups should be entitled to select as they wish. Thirdly, the workers' group and the employers' group have in point of fact always appointed as their secretaries persons who were neither delegates or advisers and who consequently were not members of the Conference. This practice, which has not been previously disputed, has not given anything but good results.

For these reasons, the Governing Body proposes that the groups should remain free to appoint their secretaries outside the delegates or advisers to the Conference. The three considerations on which this proposal is based, however, are inoperative as regards the appointment of the groups' chairmen, who must be members of the Conference. As, then, the appointment of chairmen and the appointment of secretaries are both dealt with in the same provision, the Governing Body considered it desirable to modify the wording

of Article 21 of the Standing Orders in order to avoid two different interpretations of the same text. It accordingly submits to the Conference an amendment to Article 21, which specifies that the chairman and vice-chairman must be members of the group, but that the secretary may be appointed from outside the group.

26. *Admissibility of protests against the nomination of delegates.* — It was also Mr. de Michelis, the Italian Government delegate, who raised the question of the admissibility of protests against the nomination of delegates to the Conference. The International Federation of Trade Unions and the International Transport Workers' Federation had each addressed a protest against the nomination of Mr. Rossoni as workers' delegate for Italy to the 9th. Session of the Conference. Mr. de Michelis laid before the Credentials Committee a memorandum alleging that *international* organisations had no right to dispute the credentials of the delegate representing the Italian workers, and suggesting that the protests of such organisations were inadmissible. The majority of the Credentials Committee approved this view, and expressed the opinion that the only objections admissible were those coming either from an employers' or workers' national organisation, or from a delegate to the Conference. The Committee, however, did not ask the Conference to settle the question, but to submit it to the Permanent Court of International Justice.

The Conference, which had confirmed the credentials of Mr. Rossoni, did not consider it necessary to submit the above question of procedure to the Court, but decided, on Mr. Arthur Fontaine's proposal, to refer it for consideration to the Governing Body.

On the report of its Standing Orders Committee, the Governing Body at its 34th. Session (January 1927) came to the conclusion that protests made against the credentials of a delegate are admissible from whatever source they come, and it proposes that the Conference should take the same line.

The Governing Body's proposal may be supported by an argument based on the terms of the Treaty, an argument of principle and an argument of fact.

The argument based on the terms of the Treaty arises out of a consideration of Article 389. This Article provides that "the credentials of delegates and their advisers shall be subject to scrutiny by the Conference," which may refuse to admit any delegate or adviser "whom it deems not to be nominated in accordance with this Article." This is the only provision of the Treaty affecting the scrutiny of credentials and it does not lay down any condition for the admissibility of protests, but leaves the Conference full freedom in this connection. The Standing Orders of the Conference provide for protests



being lodged within certain periods, but do not impose any condition of admissibility.

As there are thus no provisions laid down on the point, it is difficult to ascertain what are the principles which would restrict the right of protest against the nomination of delegates exclusively to delegates to the Conference and national organisations of employers and workers. The question is clearly not an internal matter for the Conference, because it is recognised that national organisations which are outside the Conference can make protests. Nor is it strictly a national question, because it is recognised that a delegate from any country is entitled to vote on the validity of the credentials of his colleagues, and Article 389 expressly provides that the Conference is to decide whether delegates have been nominated in conformity with the Treaty. Moreover, the Permanent Court of International Justice itself has adopted a similar line in allowing international trade union organisations to join in the pleadings which took place before it in 1922 on the question of the nomination of the Netherlands workers' delegate to the Conference.

The argument of fact, which had considerable influence with the Governing Body, is that the question of the admissibility of protests is a purely theoretical one. As protests do not take effect if they are not approved by the Conference, there is no point in laying down conditions on their admissibility. It is for the Credentials Committee to discriminate between serious protests and pointless protests, and in the last resort the Conference is free to take any decision it likes.

In short, the Governing Body considered that protests against the nomination of delegates have not at present to comply with any condition as to admissibility, and that such conditions are not necessary. It accordingly does not propose any amendment to the Standing Orders of the Conference on this point.

*27. Special Maritime Conferences.* — At the last Session of the Conference<sup>1</sup> a desire was expressed that there should be special conferences to deal with maritime questions or, to be more correct, that the maritime conferences which in practice have begun to be held since 1920 should be given a strictly maritime composition. The idea of the authors of the proposal was that maritime conferences should only be called for States which have a mercantile marine and that the interests of shipowners and seamen would thus be defended by direct representatives from these States, excluding delegates who are not specialised in maritime questions.

Legally, it would seem difficult for this idea to be acted on by the Organisation.

The terms of the Treaty merely provide for a General Conference of Representatives of the Members and lay down that such a Conference is to be composed of delegates from each of the Members. These are the provisions of the first paragraph of Article 389. It would therefore be difficult to convene a conference which should only be attended by representatives of maritime States or States with maritime interests.

In the first place, from the general point of view such an idea might be differently interpreted. A particular State which is not strictly speaking a maritime country may nevertheless have a real interest in joining in the framing of labour regulations for the mercantile marine because, for example, the provisioning of the country depends almost exclusively on sea transport. In such case it would be neither just nor expedient to leave out a country in this position. Further, from the legal standpoint the Treaty entitles each Member to be represented at the Conference. An amendment of Part XIII would be necessary to create conferences reserved for particular groups of Members, and it is doubtful whether such an amendment could be adopted and whether the different States, even those which have no maritime interests, would agree to such an abdication of their rights.

In the second place, it has been an open problem in a considerable number of countries since 1920 as to how the employers' and workers' delegates should be appointed for maritime conferences. Article 389, paragraph 3, requires the States Members of the Organisation "to nominate non-Government delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries." It would seem under this Article—and this was confirmed by the Permanent Court of International Justice in 1922—that the organisations referred to are the most representative organisations of employers or workpeople in general. In short, it is the central organisations in a country in agreement with which the Government should choose the delegates and not the federations of shipowners or seamen.

Where such federations are affiliated to the central organisations, and where an agreement can be arrived at, there is no difficulty, but where the seamen's federation is independent disputes may arise, as was seen at the last Session of the Conference. Under the terms of Part XIII it is difficult to dispute the right of the central organisations, even for special sessions of the International Labour Conference reserved for the work of seamen. The International Labour Legislation Commission of the Peace Conference did not make any provision for a

<sup>1</sup> See Final Record of the Proceedings of the 9th. Session of the Conference pages 141 et seq.



special composition of such sessions of the Conference, nor for the nomination of special delegates. None the less, the seamen's and shipowners' delegates at the 9th. Session on several occasions manifested the desire that their affairs should not be settled by "landsmen."

To repeat, it does not seem possible, legally, to settle the question in the sense desired, unless Article 389 is amended. The only thing which could be done would be to ensure that in practice shipowners and seamen have special representation by isolating, so to speak, the special sessions of the Conference.

During its early years when the growing Organisation still lacked experience and traditions, it was the constant desire of the Governing Body that the continuity of the work of the Conference should not be left to chance. It accordingly endeavoured to ensure continuity and uniformity in the national delegations either by leaving general sessions of the Conference to deal with some particular maritime questions, or by fixing the dates for the special sessions and the general sessions close together. In accordance with the terms of the Treaty it clearly considered that the delegates could remain the same while their technical advisers changed. There is no doubt less reason for such an attitude today. The seamen's world has become well acquainted with the constitution, methods and precedents of the Organisation. Special maritime conferences might be convened not immediately after or before a general conference but with a real interval between the special session and the general session. If this were done it would be more likely that the representatives attending the special session would be direct representatives of shipowners and seamen, but this of course would be simply a practical arrangement and not a change of a legal character.

28. *The question of languages.* — The delicate problem of languages has been before the Conference since its Washington Session. At the 8th. and 9th. Sessions one or two observations were made on the translation of speeches. More recently the German Government has submitted to the Governing Body two proposals for giving a practical solution to certain aspects of the problem. On the first of these proposals the Governing Body has decided to suggest to the Conference that it should make it a rule that speeches made in other than the official languages may be translated into French or English by the official interpreters so far as their knowledge of outside languages extends. The second proposal, which is that an authentic text of Draft Conventions and Recommendations should be made in German is still under consideration. The Governing Body will submit

a report on the two points to the Conference, to which it will belong to take the decision, since amendments to its Standing Orders are involved.

The measures contemplated, it should be made clear, are exclusively for practical purposes and do not in any way raise the question of the recognition of new official languages. It is hoped that the Conference, in the conciliatory spirit in which it always works, will find a satisfactory solution for the question on the lines of the solution adopted by the Governing Body when it left complete latitude to the Director to have Office publications translated into any language he considered desirable.

### *Governing Body.*

29. *Sessions.* — Four Sessions of the Governing Body were held in 1926, as follows :

30th. Session	....	28-30 January
31st.        »	....	21-23 April
32nd.       »	....	25 May and 4 June
33rd.       »	....	14-16 October.

All these Sessions were held at Geneva.

30. *Composition.* — The composition of the Governing Body as indicated in last year's Report has undergone a certain number of changes.

The Canadian Government appointed as its representative on the Governing Body the Hon. J. C. Elliott, Minister of Labour, who was replaced on a change in the Cabinet by the Hon. Peter Heenan. The Government has also nominated as permanent substitute Dr. W. A. Riddell, the Canadian representative at Geneva for relations with the League of Nations. Sir Louis Kershaw has been replaced as representative of the Government of India by Sir Atul Chatterjee, High Commissioner for India in London. Mr. Morell, the present Minister of Labour in Norway, has replaced Mr. Oftedal as Norwegian Government representative. The Argentine Government has appointed as its representative Mr. Alejandro M. Unsain, former Chief of the Legislative Division in the National Labour Department, in the place of Mr. Araya.

The employers' group has lost one of its most eminent members in the person of Mr. Robert Pinot, French employers' delegate, who died on 24 February 1926. Mr. Robert Pinot has been replaced by Mr. Lambert-Ribot, General Secretary of the Union of Metal and Mining Industries.

No change has taken place in the composition of the workers' group.

At its 33rd. Session the Governing Body re-elected Mr. Arthur Fontaine as Chairman, and Mr. Carlier and Mr. Oude-



geest as Vice-Chairmen for the coming year.

31. *Amendment to Article 393 of the Treaty of Versailles.* — Once more regret has to be expressed that no appreciable progress has been made in this connection. Since the last Report only three new ratifications have to be added to the list given in 1926, those of China, Portugal and the Kingdom of the Serbs, Croats and Slovenes. At the moment of writing the total number of ratifications deposited with the Secretariat of the League of Nations is 33, whereas 42 ratifications are necessary in order that, under Article 422 of the Treaty, the amendment can come into force. It may not be out of place to give here the list, in alphabetical order, of those States which have ratified and those which have not ratified it.

*States which have ratified.*

Albania,	Irish Free State,
Australia,	Japan,
Austria,	Latvia,
Belgium,	Netherlands,
British Empire,	New Zealand,
Bulgaria,	Norway,
Canada,	Poland,
China,	Portugal,
Cuba,	Roumania,
Czecho-Slovakia,	Kingdom of the
Denmark,	Serbs, Croats
Esthonia,	and Slovenes,
Finland,	Siam,
France,	South Africa
Germany,	Spain,
Haiti,	Sweden,
Hungary,	Switzerland.
India,	

*States which have not ratified.*

Abyssinia,	Liberia,
Argentine Republic,	Lithuania,
Bolivia,	Luxemburg,
Brazil,	Nicaragua,
Chile,	Panama,
Colombia,	Paraguay,
Dominican Republic,	Persia,
Greece,	Peru,
Guatemala,	Salvador,
Honduras,	Uruguay,
Italy,	Venezuela.

In one of the States which have not yet ratified, Greece, ratification has already been approved by Parliament and will probably be registered shortly with the League of Nations. It is possible therefore when the Conference meets that the number of ratifications will have risen to 34. This figure, which would be more than sufficient in the case of an amendment to the Covenant of the League of Nations (Article 26 of the Covenant only requires the ratification of the *majority* of the States whose representatives compose the

Assembly) would still be insufficient in the case of Article 422 which requires the ratification of three-fourths of the Members.

It may, however, be observed that no decision of the International Labour Conference, and very few of those of the Assembly of the League of Nations, have obtained the formal approval of so many States. It was mentioned in the Director's Report in 1926 — and the situation in this respect is unchanged — that the ratifications registered include those of practically every European and Asiatic State, as well as Canada, South Africa, Australia and New Zealand, but only those of two of the States of Latin America, Cuba and Haiti. It is clear, therefore, that several States for whom the amendment has no direct interest have by ratifying it shown their sympathy for the countries of Latin America, which since the Washington Conference have been the most insistent in calling for increased representation on the Governing Body. It must again be repeated that this friendly gesture will be useless and that all the efforts made for several years to obtain the ratifications necessary will have been in vain if at least some of the States of Latin America do not in their turn make the administrative and parliamentary effort required to have their ratification deposited with the Secretariat of the League of Nations. Consideration of the two lists given above shows that it is numerically impossible to reach a total of 42 ratifications without including those of some of the countries of Latin America.

So far as the Office is concerned, everything has been done since 1922 which could have been done to point out to the Governments of these countries the interest which they have in the amendment to Article 393, and to appeal for their ratification. Further steps have recently been taken, the results of which are still awaited. As the Conference will have to elect the members of the Governing Body again in 1928, the time left for obtaining the necessary ratifications is extremely short.

A new and urgent appeal is therefore addressed to all the States which have not yet ratified the amendment to Article 393, particularly to those of Latin America, and they are asked to consider again whether the amendment is not of sufficient concern to them to justify the effort required to ratify it.

*Committees.*

32. — To give a more accurate idea of the full working of the Organisation, it has been considered expedient to give here immediately after the questions which affect the Conference or the Governing Body a review of the different committees or commissions which have been set



up and which help the Office in its daily work. In previous Reports the work of the different committees was described in connection with the Office's scientific work. In the beginning, with the exception perhaps of the Joint Maritime Commission, most of the committees were chiefly composed of experts with whom it seemed desirable to keep in touch and who were convened more particularly for launching certain investigations which the Office had to undertake. These consultations have become more permanent. Closer relations have been established between the committees and the Governing Body, to which they are subordinate and which decides on their suggestions and recommendations. In fact, the committees have become more and more a part of the regular machinery of the Organisation.

33. *Joint Maritime Commission.* — The creation of the Joint Maritime Commission was decided upon by the Governing Body in March 1920, and the first representatives of the shipowners and seamen were appointed by the Genoa Conference in July 1920. Since then no new appointments had been made, there having been no further maritime Conference before 1926. The 9th. Session of the Conference held in that year appeared to be a suitable occasion for re-electing the shipowners' and seamen's representatives on the Commission.

In electing the new members the Conference had to keep in mind a decision taken by the Governing Body in pursuance of a resolution adopted at the Sixth Session of the Joint Maritime Commission itself. This decision was to ask the Conference to appoint two deputy members for the shipowners and two deputy members for the seamen, in addition to the five regular members who had composed each of the two groups since the Commission was first created. Moreover, the attention of the Conference was drawn by the Governing Body to the fact that there was no reason why officers should not be appointed either as regular members or as deputy members of the Commission. This latter conclusion had been arrived at by the Governing Body on the basis of the suggestions made by the Commission itself in regard to certain communications which had been received from organisations of mercantile marine officers asking for representation on the Commission: the Governing Body, like the Commission, did not consider it desirable to provide for the special representation of officers.

A desire was, however, expressed by the shipowners' and seamen's groups at the Conference that the Commission should be still further enlarged by the creation of one or two new seats for regular members in each of the two groups. The object of this increase was to enable the more important mercantile marines in the world

as well as the various categories of seamen to be represented on the Commission, and in this way to make the Commission as representative as its position and authority required. In order that any increase in the number of its members which might be decided on by the Governing Body might take effect immediately without waiting for another maritime session, the Conference requested each of the two groups concerned to appoint two substitutes in addition to the five regular members and the two deputy members already provided for. It was understood that, should the Governing Body decide to increase the number of regular members in each group to seven, the two deputy members would become regular members, and the two substitutes would become deputy members. On the other hand, should the Governing Body decide only to increase the number of regular members of each group to six, only one of the deputy members would become a regular member and only one of the substitutes would become a deputy member.

On this basis the employers' and workers' groups at the Conference appointed the following representatives:

#### EMPLOYERS' GROUP:

##### *Regular members:*

Mr. Cuthbert Laws (Great Britain),  
Mr. de Rousiers (France),  
Mr. Matsukata (Japan),  
Mr. Odfjell (Norway),  
Mr. Brunelli (Italy).

##### *Deputy members:*

Mr. Deckers (Belgium),  
Dr. Rehmke (Germany).

##### *Substitutes:*

Mr. Robb (Canada),  
Mr. Goudriaan (Netherlands),  
Mr. Arteta (Spain).

#### WORKERS' GROUP:

##### *Regular members:*

Mr. Henson (Great Britain),  
Mr. Fimmen (Netherlands),  
Mr. Köhler (Germany),  
Mr. Ehlers (France),  
Mr. Lundgren (Sweden).

##### *Deputy members:*

Mr. Brandt (Belgium),  
Mr. Mahlman (Belgium).

##### *Substitutes:*

Mr. Mas (France),  
Mr. Narasaki (Japan).

At the 7th. Session of the Joint Maritime Commission in January 1927, the Commission, in accordance with a request of the Governing Body, had to state



its opinion on the proposed increase in its membership which had been approved by the Conference. The Commission decided unanimously to recommend the Governing Body to create two new seats for regular members in each group. It was understood, however, that only one deputy member in each group would receive the expenses usually paid in connection with meetings of the Commission.

At the 35th. Session of the Governing Body it was decided, in accordance with the recommendation of the Commission, that the number of regular members in each group should be increased from five to seven. In pursuance of this decision, Mr. Deckers and Mr. Rehmke, for the employers' group, and Mr. Brandt and Mr. Mahlman, for the workers' group, became regular members of the Commission, while Mr. Goudriaan and Mr. Arteta, for the employers' group, and Mr. Mas and Mr. Narasaki, for the workers' group, became deputy members.

Mr. Robb, the first of the employers' substitutes, who had been a member of the Commission from 1920 to 1926 and during that time had collaborated in its work in a broad-minded and conciliatory spirit, died on 13 November 1926.

At the 35th. Session of the Governing Body a further proposal, made by Dr. Riddell, the Canadian Government delegate, was adopted, recommending to the Conference that "in order that the Commission should be truly representative of maritime employers and workers in all parts of the world, at least four of the fourteen regular members shall, from the date of the next elections, be nationals of non-European countries".

As to the representation of mercantile marine officers, it should be noted that, in pursuance of the decision of the Governing Body at its 35th. Session, one of the new regular members and one of the deputy members belong to the International Association of Mercantile Marine Officers. This does not mean the constitutional representation of the officers as such, but the secretary of the above Association has informed the Commission that his organisation is satisfied with the arrangement.

The Commission with its original membership held one session — the sixth — at Paris on 5-7 May 1926. On this occasion the Commission examined the various questions which are usually dealt with in the Director's Report and which concern the progress of international maritime labour legislation and the position of the maritime work of the Office. A preliminary exchange of views also took place on the two questions on the agenda of the 9th. Session of the International Labour Conference.

A further session of the Commission — the seventh — at which the regular and deputy members elected by the 1926

Conference were present, was held at Geneva on 20-22 January 1927. This Session was principally devoted to considering the action to be taken to carry out the resolutions adopted by the maritime Conference in 1926, as well as to the selection of questions for the agenda of a maritime Conference to be held possibly in 1928. In particular, the Commission recommended that the question of the regulation of hours of work in the mercantile marine should be placed on the agenda. As is indicated in another connection, the Governing Body decided at its 35th. Session to put this question on the agenda of a special session of the Conference to be held in 1929.

*34. Permanent Migration Committee.* — The following names were added to the list of experts on the Permanent Migration Committee at the 34th. Session of the Governing Body (January 1927):

*Miss Margaret Bondfield*, M.P., Member of the British Overseas Settlement Committee.

*Mr. H. W. Gepp*, Chairman of the Australian Development and Migration Commission; Australian Delegate to the British Imperial Conference (October-November 1926).

*Mrs. Ogilvie Gordon*, Member of the Standing Committee on Emigration and Immigration of the International Council of Women.

*Mr. Amadeo Grandi*, Director-General of Immigration in the Argentine Republic.

*Mr. John Gunn*, formerly Premier of South Australia; member of the Australian Development and Migration Commission.

*Mr. P. van Malderen*, member of the Belgian Trade Union Commission; author of a study on *Le Problème des Migrations ouvrières*.

*Dr. Fritz Rager*, Secretary of the Vienna Chamber of Workers and Employees, dealing specially with migration questions.

The Committee has not met since its session at Paris in 1926 which was mentioned in last year's Report.

*35. Correspondance Committee on Industrial Hygiene and Safety.* — No change has taken place in the Correspondence Committee on Industrial Hygiene and Safety during 1926.

A meeting of a number of the experts on the Correspondence Committee was held at Düsseldorf from 13 to 15 September 1926 during the Industrial Hygiene Exhibition in that town. The agenda of this meeting consisted of the following two items:

1. Industrial fatigue:

(a) Limitation of loads and weights, particularly for dockers;

(b) List of fatigue tests.



2. Compensation for occupational diseases: diseases which might be added to the list of diseases for which compensation is payable.

The nature and interest of the decisions taken by the Committee on these different points are explained in a subsequent sub-section, where the results obtained in the different departments of industrial hygiene are considered.

The Committee has appointed some of its members to act on the Mixed Sub-Committee on Anthrax for the disinfection of hides and skins. The work of this sub-committee is recorded in the account given of the Office's collaboration with the League of Nations (c. f. § 54 (d)).

36. *Committee of Experts on Social Insurance.* — No change was made in the constitution of the Committee of Experts on Social Insurance in 1926. In order to remedy an oversight in the Director's Report last year, however, it should be stated that Professor A. Gray, Professor of Political Economy in the University of Aberdeen, and a member of the Royal Commission on the operation of the sickness and invalidity insurance scheme in Great Britain, was appointed a member of the Committee in February 1925.

In 1926 a consultation of the experts was held with a view to drawing up a general plan for the enquiry into the cost of social insurance which the Office was to undertake in 1927. The consultation took place at Geneva on 22 to 24 July 1926. The experts adopted a resolution expressing their opinion on the desirability of the enquiry, and the principles and methods by which the cost of social insurance should be estimated. They also emphasised the limited possibilities and the dangers of international comparison in this matter.

The conclusions of the experts were considered by the Governing Body at its 33rd. Session in October 1926, which instructed the Office to proceed as soon as possible to enquire into the cost of social insurance, and appointed a committee from among its members to assist the service concerned.

37. *Mixed Advisory Agricultural Committee.* — On 23 May 1926 Mr. de Michelis, President of the International Institute of Agriculture, communicated to the Office a proposal of the Permanent Committee of the Institute to increase the number of members of each institution on the Advisory Agricultural Committee. It was proposed to increase the number from three to six "in order to permit the representation of a wider range of competence and thus to extend still further the scope of the important work of the Committee".

Mr. de Michelis's proposal was adopted at the 33rd. Session of the Governing Body (October 1926), when the following

new members of the Committee were appointed:

#### GOVERNMENT GROUP:

Mr. Sokal (Substitutes: Count de Altea and Dr. Riddell, already appointed as substitutes for Mr. Arthur Fontaine).

#### EMPLOYERS' GROUP:

Mr. Oersted, formerly substitute for Mr. Carlier.

#### WORKERS' GROUP:

Mr. Schürch, formerly substitute for Mr. Müller.

The third session of the Committee was held at Geneva on 24 and 25 January 1927, on the invitation of the International Labour Office. The first work of the Committee was to revise the procedure hitherto followed in consulting experts. It was understood that in the ordinary way each institution could consult such permanent or occasional experts as it might desire. The Committee as such has no list of experts but it is open to it to take the opinions of experts when it considers this desirable. In such cases the procedure proposed by the International Labour Office will be followed, viz. a preliminary consultation of the experts by correspondence, followed, subject to agreement between the two institutions, by invitations to a limited number of experts to be present at the meeting of the Committee.

The Committee then proceeded to examine the position of the work undertaken in common and the distribution of work between the two institutions.

38. *Committee of Experts on Native Labour.* — At the 30th. Session of the Governing Body (January 1926), the Office was authorised to hold a consultation of experts on problems of native labour. The suggestions made by the Director for this purpose were examined at the 32nd. Session of the Governing Body (May 1926), which decided that the consultation should bear on the two questions of forced labour and indentured labour. At the 32nd. and 33rd. Sessions of the Governing Body it was decided that the following experts should be consulted:

*General Freire d'Andrade*, former Governor of Mozambique; former Minister of Foreign Affairs in Portugal; Member of the Permanent Mandates Commission; member of the Temporary Slavery Commission.

*Sir Selwyn Freemantle*, C.S.I., C.I.E., former member of the Council of the Lieutenant-Governor of the United Provinces, India; former member of the Legislative Council of the Viceroy of India (dealing with the examination of the Factory Bill).



Mr. Gohr, Director-General in the Ministry of the Colonies, Belgium; member of the Temporary Slavery Commission.

Mr. Lejeune, of the *Compagnie Nossibéenne d'industries agricoles* (Madagascar).

Sir Frederick Lugard, G.C.M.G., C.B., D.S.O., former Governor-General of Nigeria; member of the Permanent Mandates Commission; member of the Temporary Slavery Commission.

Mr. Merlin, Honorary Governor-General of the Colonies; former Governor-General of the French Congo; former Governor-General of French West Africa; former Governor-General of French Indo-China; member of the Permanent Mandates Commission.

Commandant Ostini, former Deputy; Head of the Colonial Schools Department at the General Emigration Commissariat, Rome.

Mr. van Rees, former Vice-President of the Council of the Dutch East Indies; former Secretary-General of the Dutch Colonial Institute; Vice-President of the Permanent Mandates Commission; member of the Temporary Commission on Slavery.

Freiherr von Rechenberg, former Governor of German East Africa.

Mr. Pedro Saura del Pan, Spanish Consul and former Chief of the Section of Civil Colonial Affairs in the Department for Morocco and the Colonies.

Mr. H. M. Taberer, Chief of the Native Labour Recruiting Organisation of the Transvaal Chamber of Mines.

A preliminary consultation of the experts will take place in 1927.

39. *Third International Conference of Labour Statisticians.* — The Third International Conference of Labour Statisticians took place on 18-23 October 1926. Its object, as in the case of the previous Conferences, was to indicate generally agreed principles for compiling labour statistics in the hope that when any changes in national statistics were made an attempt would be made to coordinate them with agreed international standards, so that international statistical comparison would be facilitated. Twenty-six countries accepted the invitation of the International Labour Office. Forty-two delegates, one of whom represented the Economic and Financial Section of the League of Nations Secretariat, took part in the Conference. Almost every European State was represented, and the number of representatives and countries represented was almost the same as at the previous Conference.

Mr. John Hilton, Director of Statistics in the British Ministry of Labour, was

unanimously elected to the Chair, and Mr. Wagemann (Germany), Mr. Mayeda (Japan) and Mr. Gini (Italy) were elected vice-chairmen. The agenda was limited to four items: (1) methods of compiling family budgets; (2) methods of compiling statistics of collective agreements; (3) methods of compiling statistics of industrial disputes; (4) classification of industries.

The first item was placed on the agenda because the previous Conference had adopted a resolution (in its discussion of methods of compiling cost of living index numbers) to the effect that in countries where family budget enquiries had not been conducted since 1921 it was desirable that enquiries should be undertaken as soon as the economic conditions were favourable — if possible not later than 1928. The classification of industries had been on the agenda of previous Conferences, and the Office had been requested to draw up a provisional list of the most important industries for the consideration of the various countries. The other two subjects were new, but they also raised a considerable number of interesting problems suitable for discussion by a representative body of labour statisticians. On each of these subjects a report had been prepared by the Statistical Section of the Office, and, with the exception of a tentative comparative list showing the main industrial groups in different countries, these reports have been published in the series of *Studies and Reports*.

The Conference unanimously adopted a number of resolutions on each of the questions on the agenda. The resolutions concerning family budgets, statistics of industrial disputes, and collective agreements deal with the best means of collecting and classifying statistics of this kind, with a view to facilitating international comparison. The resolution concerning classification of industries led to an interesting discussion, but the problem was again referred for further study.

The resolutions adopted by the Conference will be brought to the notice of the Governments, and, as in the case of the two previous Conferences, Governments will be asked to communicate to the Office such steps as they may propose to take to put them into effect. There is reason to hope that the resolutions adopted by the Third Conference will lead, as the resolutions of the previous Conferences have done, to appreciable progress towards the establishment of labour statistics which are internationally comparable.

The work done by these Conferences of Labour Statisticians is valuable not only on account of the resolutions adopted and the steps taken in accordance with them by the Governments, but also, as was emphasised by the Chairman in his opening address, because they provide an opportunity for personal intercourse



between the statisticians of the various countries, and enable them to consider their national statistics not only from their national point of view but also from an international standpoint.

40. — This review of the commissions, committees and experts to whom the Office can appeal would be incomplete if no mention were made here of the different bodies established under the Treaty of Peace or by the Governing Body for the enforcement of international labour legislation. First, there is the Committee of Experts set up to consider the Reports under Article 408, the history and composition of which are given in the beginning of Part II of the present Report. Secondly, reference must be made to the lists of the members for the commissions of enquiry provided for under Article 412 of the Treaty. There is no change to record in this list. Lastly, a list was given in previous Reports of the assessors for labour cases from which are to be selected the persons called upon to assist the Permanent Court of International Justice at its full sittings or the special Chamber for labour questions which works under the Court when labour cases are brought before it. There has been one change in the list of assessors directly appointed by Governments. The Latvian Government has appointed Mr. Fr. Roze, Director of the Department for the protection of labour in the Ministry of Social Affairs, to take the place of Mr. Hermann Punga.

#### *Organisation of the International Labour Office.*

41. — No important change was made in the internal organisation of the Office during 1926, though one or two small re-arrangements were effected in the general plan. The most important re-arrangement has been the internal re-organisation of the Diplomatic Division, which previously consisted of two Sections and now consists of three. The First Section, which will continue to furnish the secretariat for the Governing Body and its Committees, will also have to carry out the work of endeavouring to secure the application of decisions of the Conference. The Second Section will deal with the preparation of the Conference and with the general correspondence with the Governments, and also includes the maritime questions service. The Third Section will deal with all questions affecting native labour. The Second Section has been put under the direction of a German Chief of Section, Mr. Berger, as from 1 January 1927.

42. — Similarly, there is no important change to report in the Russian and Armenian Refugees Service. In accordance with the decision of the Assembly of the League of Nations the special delegation at Rio de Janeiro has been abolished.

43. *National Correspondents.* — The National Correspondents' Offices have continued to give the Office the valuable assistance which was expected of them. In addition to their important regular work they paid special attention during 1926 to re-organising the sale of the Office's publications in their respective countries, with satisfactory results. The sales have increased in some cases by as much as 50 per cent.

In accordance with the recommendation of the Assembly of the League of Nations, the national correspondents have also endeavoured to make the Office and its work better known, not only among employers' and workers' organisations, but also in schools, universities and important private institutions. The monthly reviews published by the Berlin, Rome and Madrid Offices and the Bulletin published by the Tokio Office have had increased success.

The Deputy-Director visited the Washington Office and suggested certain internal reforms which may perhaps restrict its activity but will enhance its results.

Besides the National Correspondents' Offices the Office has retained its regular correspondents at Brussels, Budapest, Madrid, Prague, Vienna and Warsaw.

The success which has been attained in spite of certain difficulties by the Correspondents' Offices has made more urgent the applications which have been made by a considerable number of countries for the creation of new Offices. The Governing Body has already decided that a National Correspondent's Office is to be created in 1928 for India, at Delhi. But it would seem that the institution of regular correspondents at least, if not National Correspondents' Offices, in Canada, the Scandinavian countries and the countries of South America would contribute considerably to enhance the possibilities of the Organisation. The Secretariat of the League of Nations has been able to take steps in this direction which the Office would be glad to be able to follow. Similarly, it would seem important for the purposes of collecting accurate information and preparing for the future that there should be an Office at Moscow and in China, just as there is an Office at Washington.

In a note submitted by it to the Budget Committee on the latter's request the Office has outlined a comprehensive scheme which it considers would meet the general requirements of the Organisation.

44. *Staff.* — The staff has kept up its high standard during the year under review. Its enthusiasm and discipline, its growing appreciation of its responsibilities, its devotion to the ideals of the Organisation and its technical qualifications are recognised by all those who follow its work with ordinary goodwill. Appreciation has not infrequently been expressed of the work done by the Office in its different departments: these tributes



are mainly due to the Director's assistants, and are their legitimate reward.

At least part of the success of the Office's body of international officials must be put down to the methods of recruitment which are strictly applied. Open competition is now an absolute rule, which it is more or less easy to put into force according to the country. This is the only method which gives the required guarantees. The open competitions give the greatest certainty that the persons in the different countries who possess the required qualifications will be selected<sup>1</sup>.

The equitable representation of all the States Members among the officials of the Office is a problem to which continued attention is given. But, to comply with the Treaty of Peace itself, the Office has to take account of the different requirements which have to be met: — the necessity of maintaining a high output, a real knowledge of the official languages and suitable promotion among existing officials. The fact that the Office has so far succeeded in dealing with this complicated and delicate question is specially due to the liberal attitude adopted by the Governing Body and the Conference. These bodies have always fully recognised and respected the freedom of selection which the Treaty of Peace itself confers on the Director<sup>2</sup>.

The Office has continued to give its attention to improving the institutions which are calculated to give the staff all the guarantees which it may desire. The question of the Administrative Court will probably be settled by the forthcoming Assembly, which will have before it a draft prepared by the Supervisory Committee with the help of the Office and the Secretariat of the League of Nations.

The Office has begun the work of revising the Staff Regulations by making such amendments therein as past experience has suggested. In this connection investigations have been begun into a problem which is of primary importance to the staff — the problem of promotion.

It is not felt that it will be possible to arrive rapidly at a definite system of promotion. Such a system is only possible in administrations of long standing with a fixed cadre, in which the occurrence of vacancies and new posts is a known quantity, the relative proportion of the number of posts in the different categories is fixed by long experience, and it is possible for an official to know his chances of promotion at least by seniority. In addition to this form of promotion there is another form which is also met with in national administrations, at least in the case of outstanding officials—pro-

motion by selection on the basis of a clearly defined procedure.

It must be recognised that international administrations are too young and not yet sufficiently established to make it possible to have a suitable and complete system of promotion. The grades and number of posts, their cadre in short, are certainly not yet definitely settled. Even if they were so settled, the special technical qualifications of many of the officials, the relative shortness of many of the contracts with them, the necessity of an equitable representation of the various nationalities are all elements for which provision must be carefully made in a scheme of promotion. Experience and time are essential for the working out of such a scheme. The question, however, deserves the attention of all those who have to organise and administer international institutions. It is not desired at the moment to do more than indicate the situation and to express the hope that in the near future a definite system of promotion will be established.

*45. Diplomatic immunities.* — In the Report submitted last year to the 8th. Session of the Conference certain indications were given as to the precise character of the diplomatic immunities conferred by the Treaties on the officials of the International Labour Organisation. Since then the Council of the League of Nations has approved, on 20 September 1926, the provisions of an agreement concluded with the Swiss Government on the subject of the diplomatic immunities of the League of Nations and its officials. This agreement applies to the International Labour Office. It does not settle any question of principle but is intended to prevent practical difficulties in the regular application of the immunities, and there is every reason to hope that from this point of view it will be of great value<sup>1</sup>.

In the same sense it should be stated that a number of members of the Governing Body have asked the Office to have their position made clear as regards diplomatic immunities. It would seem that the wording of the Treaty leaves no doubt on this particular point, but the Office intends to enter into the necessary negotiations with the competent authorities to ensure that the necessary immunities are guaranteed to the members of the Governing Body.

*46. New building.* — The official inauguration of the new building took place on 6 June 1926, the date indicated in last year's Report. This gave the delegates of the States represented at the 8th. and 9th. Sessions of the Conference an

<sup>1</sup> In 1926 examinations were held in Germany, Poland, Italy, Argentina, Canada, New Zealand and Chile. An examination was also organised in Europe for the purpose of recruiting a Chinese official.

<sup>2</sup> There are at present 33 nationalities represented in the Office (32 in 1925).

<sup>1</sup> At the time of writing the Serb-Croat-Slovene Government has just informed the Office that officials of the Secretariat and the Office will be given customs exemption on the importation into the country of articles for their own personal use.



opportunity of visiting the headquarters of the Office, which was gratified to be able to show them the simple building which is so well adapted to its purposes and which they had helped to have erected.

Since the last Report new gifts have been made to the Office :

*Hungary* : Picture.

*National Seamen's & Firemen's Union of Great Britain* : Fountain for the courtyard.

*Mr. Frank Brangwyn, R.A.* : Six etchings.

Other gifts have been promised, one or two of which have already reached Geneva :

*South Africa* : Furniture for the entrance hall on the ground floor.

*Luxemburg* : Two ornamental doors in forged iron for the corridors on the ground floor.

*New Zealand* : Four large photographs.

*Kingdom of the Serbs, Croats and Slovenes* : Furniture for the Office of a Chief of Division.

*Portugal* : Probably a decorative panel in porcelain.

*Norway* : Probably curtains for the Office of the Chairman of the Governing Body.

*Irish Free State* : Painted glass windows.

*Municipality of Locarno* : Picture by Pietro Chiesa.

*Miss Lee Guard and Miss Florence Thorne* : Portrait of Mr. Samuel Gompers.

*Dame Katherine Furse* : Picture of her husband, the well-known English painter.

The Office takes this further opportunity of expressing the gratitude of the Organisation for these magnificent gifts, which, as stated in last year's Report, are evidence of the loyalty of the different States to their joint undertaking and of the active sympathy which the work of the Office has met with in various quarters.

47. *International Scientific Management Institute*. — As already indicated, there has been no change in the organisation of the Office during 1926 and no new service has been created. However, outside the Office a new and autonomous institution has recently been founded in the creation and work of which the International Labour Organisation has been associated — the International Scientific Management Institute.

It was stated in last year's Report that preliminary negotiations had been entered into with important scientific institutions in America and that one of the Office's officials had gone to America at the request of the Twentieth Century Fund. These preliminary negotiations were continued by the Deputy-Director, as

explained in an earlier paragraph, and since his visit to America had also been entered into with Professor Mauro, President of the International Scientific Management Committee which was set up by the Prague Congress in 1924. Their result has been the foundation of the new Institute.

The Governing Body, which in October 1926 approved the first steps, decided at its session in January last that the Office should be associated in the creation and working of the new Institute, and at the same time appointed three of its members as representatives on the Institute's Board of Governors, which was accordingly constituted on 31 January 1927. The Institute, which is housed in the villa next to the Office which was put at its disposal by the latter, has been placed under the direction of one of the Office's officials, Mr. Paul Devinat, who is assisted by a highly competent American expert, Mr. Percy S. Brown, ex-President of the Taylor Society.

The Governing Body of the Office is represented on the Institute's Board of Governors by :

*Mr. Sokal* (Substitute, *Mr. Unsain*) for the Government group ;

*Mr. Olivetti* (Substitute, *Mr. Tzaut*) for the employer's group ;

*Mr. Jouhaux* (Substitute, *Mr. Oudegeest*) for the workers' group.

Further, Mr. Sokal has been appointed Vice-Chairman and Mr. Jouhaux member of the Executive Committee of which Mr. Mauro is Chairman. This Committee also includes Mr. H. S. Dennison, representative of the Twentieth Century Fund, as Vice-Chairman, and Mr. Hinnenthal, Director of the Berlin *Reichskuratorium für Wirtschaftlichkeit* as a further member. The Board has co-opted other members, viz. Mr. de Fréminville (France), Professors Hasa (Czechoslovakia) and Larsen (Denmark) and Mr. Renold (Great Britain).

The Office has endeavoured, within the limits of its means, to give material help to the Institute by providing it with a building, putting at its disposal its Library, archives, press-cuttings, etc. services, and the services of its Correspondents. In addition, the Office has detached for service with the Institute some of its officials who are specially qualified for the work. The Scientific Management Institute which has thus been created under the auspices of the Organisation will also have the financial help of the Twentieth Century Fund and the technical assistance of the International Scientific Management Committee. The plan of the Institute's work classifies the numerous problems to be investigated into three broad groups — purely technical questions, questions directly affecting the human factor, and



questions of the rationalisation of production and distribution, i.e., questions of national and international economy. Obviously, it will be more particularly the social effects of scientific management which will be closely followed by the International Labour Office.

### *Financial organisation.*

48. — No essential change was made in 1926 in the rules which, after some experiments, were finally adopted by the Supervisory Committee and the Assembly. No disturbing question of a financial character has arisen since the working capital fund was established. The States generally pay their contributions within the proper time. The financial institutions of the League of Nations work at least as smoothly as those of the States Members, and when the Governing Body adopts the Office's budgets it can now do so with full confidence that the funds voted will be forthcoming.

49. *Budget for 1927.*— The draft budget for 1927 submitted to the Governing Body amounted to 7,964,385 francs, an increase of 494,665 francs on the budget voted for 1926. After a thorough examination of the Office's proposals, the Governing Body, it is true, refused certain of them, but nevertheless approved an increase of 316,445 francs over the previous year. The only changes made by the Supervisory Committee and the Assembly in the budget as approved by the Governing Body were on points of detail, and the budget was finally passed at 7,812,490 francs, as follows :

*Estimates for 1927*  
*Swiss francs.*

#### *Section I. (Ordinary expenditure) :*

Chapter I. — Sessions of the Conference and Governing Body . . . . .	396,500
Chapter II. — General Services of the Office . . . . .	6,999,665
Chapter II <i>a.</i> — Extraordinary and temporary expenditure (Russian Refugees) . . . . .	325,325
Chapter III. — Profit and loss on exchange ( <i>ad memoriam</i> ). . . . .	

#### *Section II. (Capital expenditure) :*

Chapter IV <i>a.</i> — Ordinary expenditure (building, permanent equipment, etc.) . . . . .	91,000
Total . . . . .	7,812,490

Deduct : Receipts from publications . . . . .	115,000
Net total. . . . .	<u>7,697,490</u>

It was recognised that the considerable increase of 316,445 francs over 1926 was necessitated by the extensive enquiries called for by the Conference and the inadequacy of the credits provided for publications and the requirements of important Services, such as the Translation Service, the Maritime Service and the Native Labour Service. The increase was facilitated by the increase in the

German contribution as from 1927 since Germany has entered the League of Nations. With the increase in this contribution, combined with success in the sale of publications, it was possible for the different States Members, with the exception of Germany, to grant the extra credits proposed without this causing any real addition to their contributions.

50. *Budget for 1928.* — The draft budget for 1928 has been drawn up on a similar basis. Realising the desire of the States not to increase the contributions which they pay at present to the International Labour Organisation as well as the desire of the Governing Body for economy, the Office systematically declined to entertain proposals for extending its work and activities — even those which the States themselves may have suggested. Even requests from over-worked sections of the Office were turned down and endeavours made to see whether such demands could perhaps not be met through a better utilisation of some of the staff already available where this might be possible. The only direction in which an effort was made to allow extra staff is in the case of the subordinate staff, as it has long been recognised that the number of secretaries is not quite in proportion with the number of members of section and higher officials. A request was also made for additional resources for missions, committees, enquiries and research, as well as for the Correspondents' Offices.

The budget as submitted, then, amounted to 8,104,185 francs — an increase of 291,695 francs on the 1927 budget. It should be mentioned, however, that this increase includes 96,000 francs for annual increments promised in the contracts of the staff, 26,000 francs as the contribution to the Provident Fund and 70,000 francs as the budget of the Indian Correspondent's Office already approved in principle by the Governing Body.

This draft budget was discussed in detail in the Finance Committee, and was ultimately approved by the Governing Body at 7,995,685 francs. After deducting 115,000 francs for receipts from the sale of publications, the sum to be found by the States is 7,880,685 francs.

The Governing Body considered that with this amount at its disposal the Office would be able to carry out all the work entrusted to it. As a matter of fact, the employers' group on the Governing Body had made proposals in the Finance Committee for much more considerable reductions, but these proposals were rejected, and when the final vote was taken the employers' group abstained. Their abstention was based on two grounds : in the first place, it was thought that at a time when every country is endeavouring to follow a policy of economy and to restrict its expenditure a similar policy ought to



be followed by international institutions. In the second place, it was thought that at a time when reference is being made in all industrial or commercial undertakings to "rationalisation" in order to reduce cost prices administrative bodies should take the same line.

During the discussion in the Governing Body which followed the employers' declaration of their abstention several observations were made in reply. It was asked whether, if a policy of economy were to be followed by international institutions, such a policy ought not be followed to the same extent by all. The Rapporteur of the Finance Committee emphasised the observation made in the Director's Report last year, to the effect that for some years the budget of the International Labour Office has varied between 7 and 8 million francs, while the budget of the other institutions which are included in the Secretariat of the League of Nations has increased within the last few years from 11 million to nearly 13 million francs.

As regards "rationalisation" and the endeavour to reduce cost prices, it is perhaps an exaggeration, as the Rapporteur remarked, to allege that the procedure followed in industry can be applied to administrative work. Notwithstanding some carefully thought-out measures which have been taken, e.g. by Henri Fayol, the rationalisation of large administrative offices, particularly those which have to carry out research and investigation work, is primarily a matter of day to day experience and common sense. In point of fact, it would seem that rationalisation has been practised by the International Labour Office during the last three or four years: in any case, while in 1923 the expenditure authorised was 8,744,212 francs, it will be 7,880,685 francs in 1928<sup>1</sup>. It is not thought that there is a single person who has followed the work of the Office since the beginning who can deny the tremendous progress achieved in the Office's publications or enquiries or its general activities since 1923<sup>2</sup>. If the budget remains the same and if the quality and quantity of the work has admittedly increased, this would seem to show that the problem of output has been solved as far as it was possible to do so. Of course, further daily progress has yet to be accomplished, and every attention is given to criticisms and suggestions. Indeed, an organisation which did not invite constant examination of the progress which might still be possible would become a bureaucracy unworthy of the task entrusted to the International Labour Office.

<sup>1</sup> Even this figure includes the credits provided for the Refugee Section (325,325 francs) which did not exist in 1923. Actually therefore the 1928 budget strictly for the Office will be practically a million francs less than that for 1923.

<sup>2</sup> The receipts from sales alone have increased from 53,000 francs in 1924 to over 110,000 francs in 1926.

But there are limits to the ingenuity of the Chiefs of Services of the Office. With resources inappreciably higher it will one day be impossible to cope with the regular and automatic extension of the Office's work. Every new problem raised by the Conference year after year — native labour, sickness insurance, minimum wages, etc. — becomes the starting point of further prolonged activities which must sooner or later call for fresh resources in staff and in material. One day, no doubt, this process will stop when the Office is adequately equipped to study at least the principal problems referred to in Part XIII. It will then acquire the stability of a national Ministry of labour, the development of which in their early years has also been intensive and rapid. But as long as there remain so many departments of work as yet untouched by the Office, it would hardly be in accordance with the ideal enshrined in Part XIII to stabilise the Office artificially by fixing *ne varietur* the resources placed at its disposal, without taking account of the requirements of its proper development. Such a policy could hardly be termed one of rationalisation, of rational adaptation of the means to the end, such as the Office is recommended to follow.

#### *Relations with the League of Nations.*

51. — The Office cannot recall any occasion during 1926 on which a difficulty in regard to organisation or competence has arisen between the Office and either the Secretariat or any of the technical organisations of the League of Nations. Both legally and administratively the respective positions of the different bodies are all quite clearly defined. In every administrative grade a spirit of whole-hearted collaboration prevails. This is an essential condition for success in carrying out the common tasks which affect both the International Labour Office and the other institutions of the League, and which every day become more numerous and more complex. The various cases in which collaboration was instituted or continued during 1926 are described very briefly below.

52. *International Economic Conference.* — The decision to hold an International Economic Conference was of the very greatest interest to the International Labour Organisation. Economic and social questions are indissolubly linked together, and economic reconstruction can only be solid and enduring if it is based on social justice.

The task of preparing the Conference was entrusted to a Committee. The Council of the League of Nations appointed two members of the Governing Body, Mr. Hodač and Mr. Jouhaux, to be members of this preparatory Committee. Mr. Arthur



Fontaine, Chairman of the Governing Body, was also invited to be present at meetings of the Council, sitting as such or in Committee, at which questions affecting the Office might be discussed. The Preparatory Committee, moreover, included four representatives of important workers' federations and two representatives of co-operative organisations.

The Preparatory Committee held two meetings, each lasting a week, during 1926, the first in May and the second in November. The Office took an active part in both. At the first meeting it was decided to ask the Office to prepare seven memoranda which were to form part of the information to be laid before the Preparatory Committee to enable it to draw up the agenda of the Conference. These seven documents were accepted by the Preparatory Committee at its second meeting, and will form part of the documentary information which is to be eventually submitted to the Conference when it meets on 4 May 1927.

The seven memoranda prepared by the Office are as follows :

(1) Population questions :

- a) *Migration in its various forms* (statistical report) ;
- b) *Reports on legislation concerning the movement of labour and migration in general* ;
- c) *Report on the standard of living of workers in various countries.*

(2) Agricultural questions :

*The relation of labour costs to total costs of production in agriculture.*

(3) Industrial questions :

*Scientific management in Europe.*

(4) Commercial questions :

- a) *Results of certain of the enquiries for instituting a comparison between the retail prices in private trade and those of distributive co-operative societies ;*
- b) *The part played by co-operative organisations in the international trade in wheat, dairy produce, and some other agricultural products.*

Apart from the above memoranda the Office has, at the request of Mr. Jouhaux, who is a member of the Preparatory Committee, and in accordance with the method adopted by the Committee itself, taken steps to obtain certain reports, for which their authors are individually responsible, on the question of industrial agreements considered from the point of view of their social consequences and of the protection of workers and consumers. The persons who have been asked to prepare such reports are Mr. William Oualid, Professor of Political Economy in the Faculty of Law at the Paris University, and Mr. Julius

Hirsch, Professor of Political Economy at the Berlin University.

At its second meeting the Preparatory Committee decided that the International Economic Conference should open on 4 May 1927. The Office will participate in the work of the Conference as actively as possible, on the lines laid down for it by the Preparatory Committee.

53. *Intellectual Work.* — The Office was represented at all the meetings of the Committee on Intellectual Cooperation which were held in 1926. It also participated in the work of the Sub-Committee for the Protection of Intellectual Property.

The most important part of the Office's cooperation, however, has been in connection with the Sub-Committee of experts on the instruction of youth in the aims and existence of the League of Nations. This Sub-Committee met on August 3-6, 1926, under the Chairmanship of Professor Gilbert Murray. Mr. Maek Eastman represented the International Labour Office. The Sub-Committee drew up a series of recommendations in which it is proposed that instruction in the achievements and aims of the League of Nations should form a part of the regular curriculum of primary and high schools as well as of universities. Governments of States Members of the League are asked to call national conferences in each country to consider this important problem.

In the Sub-Committee's recommendations the International Labour Organisation was placed on the same level as the other bodies of the League of Nations, so that instruction in the achievements of the League will include the work of the Office. Similarly, the recommendations state that "competent authorities in each country should take steps to ensure that teachers should be provided with a copy of the Covenant and the *International Charter of Labour*, with short explanations and a concise bibliography". This places Part XIII of the Treaty of Versailles in the same rank of importance as the Covenant itself. The Sub-Committee hoped in this way not only to aid the Office but to strengthen the League itself.

The Council of the League approved the Sub-Committee's report, and, later, the Assembly "urged the Governments of the States Members of the League to give this report their sympathetic consideration and to take the measures necessary to give effect to all or any of its recommendations which may be found suitable for adoption in their respective countries".

A further instance of the Office's collaboration with the Committee on Intellectual Cooperation was the part the Office took in the first International Cinematographic Congress held in September last in Paris under the auspices of the Committee.



At the request of the organisers of the Congress, the Office prepared two preliminary reports dealing with (1) the utilisation of the cinematograph for workers' leisure time, and (2) occupational diseases in the cinematograph industry. The Congress showed an appreciative interest in these two reports and passed resolutions requesting the Office to continue and complete its enquiries and to present finished reports to the next Congress, which will probably be held in Berlin in the spring of 1928.

Following the resolutions of the Congress, enquiries are now being carried on concerning the two subjects mentioned above, and a third report is being prepared on the problem of child labour in cinemas, to which an article in the Office's *International Labour Review* has already been devoted.

Collaboration between the Office and the *International Institute of Intellectual Co-operation* has also been developed. An exchange of all publications has been arranged, and agreement has been reached on the respective spheres of work of the two institutions. For instance, the Office transmitted to the Institute the proposal made by Austrian civil servants for the establishment of an international exchange of civil servants. On the other hand, the Institute referred to the Office the request of the union of Scandinavian musicians for an enquiry on the weekly rest of musicians in different countries.

In order to facilitate closer cooperation and a suitable division of work, the Office and the Institute have organised unofficial meetings to be held alternately in Geneva and Paris between officials of the two institutions. Two such meetings have already been held. Among the subjects discussed may be mentioned: workers' libraries, the popular arts, enquiry concerning dramatic artists and cinema workers, worker-inventors, student-workers, statistics on intellectual workers, and different matters relating to the cinematograph. On all these points a well-defined system of cooperation and division of work has been arranged, and these meetings have proved of great assistance in the attainment of practical cooperation between the two organisations.

54. *Health.* — The Office has continued to maintain varied and active relations with the Health Section of the Secretariat of the League of Nations.

(a) The Office has assisted the Health Section of the League in preparing the 1925 edition of the *International Health Year Book*. This Year Book contains three reports on the progress accomplished on industrial health questions in Belgium, Germany and Great Britain. The reports were drawn up by Dr. Glibert, Dr. Leymann and Sir Thomas Legge, who are members of the Correspondance Committee on Industrial Health and Safety.

(b) In February 1924, at the request of Mr. Madsen, Chairman of the Health Committee of the League of Nations, the Office undertook a study of the standardisation by means of international regulations of colour perception tests for railwaymen and seamen. Investigations were made the results of which have been analysed by an ophtalmological expert<sup>1</sup>.

(c) The office has also continued its collaboration with the Health Section of the League in studying the best means of co-ordinating the work of Public Health Departments and the medical services of insurance institutions.

In 1926 the Health Section of the League undertook enquiries in certain districts into the working of Public Health Departments and the medical services of social insurance institutions, with special reference to preventive measures. The object of the enquiry was to ascertain whether omissions or overlapping existed. Investigations were made in Prague, Vienna, Buda-Pest, Warsaw and Cologne on a scheme drawn up by the Health Section after consultation with the International Labour Office.

When the enquiries had been concluded the question of the best method of making use of the information collected had to be considered. The Health Section of the League of Nations and the International Labour Office agreed that it would be very desirable to set up an international committee of experts to compare experiences in the various countries on the basis of the results of the investigations. A proposal to this effect which was made to the Health Committee at its 9th. Session at Geneva in February 1927 was accepted, and it was accordingly decided to set up a committee of experts.

The committee of experts will be asked to suggest the main outlines of future collaboration between Public Health Departments and insurance institutions with a view to the satisfactory organisation of preventive measures. It will consist of about twelve experts, half of whom will be representatives of Public Health Departments and the other half representatives of sickness insurance institutions. The representatives of Public Health Departments will be appointed by the officers of the Health Committee, and the representatives of insurance institutions by the Governing Body of the International Labour Office.

At its 35th. Session in April 1927 the Governing Body appointed the following persons to represent insurance institutions:

Mr. A. Grieser, Director in the Ministry of Labour (Germany).

<sup>1</sup> See *infra*, Second Section, *Industrial Hygiene*, § 162.



*Mr. A. Jauniaux*, Senator, Secretary-General of the National Union of Federations of Socialist Mutual Benefit Societies (Belgium).

*Mr. Olivier*, Member of the Management Committee of the National Federation of Mutual Benefit Societies (France).

*Mr. K. Osowski*, Director of the Central Union of Sickness Insurance Funds (Poland).

*Mr. E. Potts*, B. Litt., Secretary of the Federation Committee of the English, Scottish and Welsh Associations of Insurance Committees. (Great Britain).

*Mr. L. Winter*, Former Minister of Social Welfare, Vice-Chairman of the Committee of Management of the Central Union of Sickness Insurance Funds. (Czechoslovakia).

On the Office's proposal the Health Committee recommended that the committee of experts should not adopt any final conclusions until after the 10th. Session of the International Labour Conference, which is to discuss the question of sickness insurance as a whole. The Office considered it desirable that an indication of this kind should be given to the committee officially in order to secure the necessary co-ordination in the work of the various international bodies.

The Committee held its first meeting at Geneva from 11-12 April last, and devoted it entirely to settling its programme and methods of work. It decided to appoint five joint sub-committees to deal with the five following subjects: popular instruction in the principles of hygiene, protection of maternity and protection of the child from birth to the school-going age, prevention of tuberculosis, prevention of venereal diseases, protection of the child of school-going age. The sub-committees have been asked to submit their reports to the next meeting of the Committee, which will probably be held towards the end of October 1927.

(d) The *Mixed Sub-Committee on Anthrax*, which was set up to study the means of disinfecting hides and skins infected with anthrax, consists of three representatives of the Health Committee of the League of Nations and three representatives of the Correspondence Committee on Industrial Hygiene and Safety. A meeting was held on 18 October 1926 and was attended by Professors Nocht, Ottolenghi and Raynaud, representing the Health Committee of the League of Nations, and Dr. Glibert and Dr. Loriga, representing the Correspondence Committee of the Office. Dr. Collis, the third representative of the Correspondence Committee, was unable to attend. The Sub-Committee discussed the results hitherto obtained by research work in the various countries into the disinfection of hides and skins, and laid down certain guiding

principles for continuing the work at present being carried on.

*55. Protection of young persons and children.* — The Office continued to collaborate during 1926 with the Advisory Commission for the Protection and Welfare of Children and Young People. Representatives of the Office have taken part in the work of the two Committees of which the Commission is composed, namely the Child Welfare Committee and the Committee on the Traffic in Women and Children.

The Child Welfare Committee emphasised in the resolutions it adopted the necessity of ratifying the Conventions dealing with child labour and asked that the age of compulsory school attendance should be extended up to the age fixed in the Conventions on the admission of children to employment. The Committee also stressed the advantages of the system of family allowances and its beneficial effects in reducing child mortality. It requested the Office to continue its studies on this subject and to prepare a report for its next meeting. Two sub-committees were created to follow the progress of the work laid down by the Committee. The Office is represented on these sub-committees.

The Committee on the Traffic in Women and Children considered documentary reports which it had requested the Office to prepare on the protection of the children of emigrants and their maintenance by those responsible for their support. It discussed proposals for two international conventions on the relief of minors and their repatriation, and on the execution of judgments relating to maintenance payable on behalf of children by persons responsible for their support and living abroad. With regard to the latter proposal, the Committee requested the Office to supply it with all the information which it could procure. The Committee also asked the Office to prepare a note on international agreements in existence concerning the movements of juvenile immigrants accompanied by their parents or other relations.

*56. Communications and Transit.* — The Office continues to collaborate with the Transit Section on a number of various questions.

(a) In the Report to the 8th. Session of the Conference, it was explained that an agreement had been arrived at in order to ensure the representation of seamen on a number of technical bodies entrusted by the Transit Organisation with preparing the framing or revision of international agreements concerning safety at sea. This consultation of the seamen continues to give good results in practice. It enables satisfaction to be given to the increasing number of requests



and proposals addressed to the Office by various organisations, and is particularly appreciated by the technical committees of the Transit Organisation, which on various occasions have expressed their gratification on having the practical viewpoint of the seamen on the matters under their investigation.

The Technical Committee on the buoyage and lighting of coasts met again at Stockholm in August 1926. At this meeting, as at the meeting in 1925, two large international organisations of seamen and deck officers, the International Transport Workers' Federation and the International Mercantile Marine Officers' Association, were represented by an expert. The Committee also examined the replies of the various seamen's organisations to the questionnaires which it had drawn up at its previous meeting on the international rules to be laid down for the placing of buoys and the colours of lights.

Various seamen's organisations have forwarded to the Office suggestions, sometimes even very detailed proposals, for the amendment or completion of measures already internationally adopted on questions affecting the safety of navigation, including the 1912 Convention on wireless telegraphy at sea and the 1914 Convention on the safety of life at sea. These communications have been forwarded to the Secretariat of the League of Nations, which is to submit them to the competent bodies of the Transit Organisation.

(b) On various occasions national and international workers' organisations, including the International Transport Workers' Federation, have requested the Office to undertake an enquiry into the working conditions of persons employed in inland navigation. The question has been taken up by one of the technical bodies of the League of Nations, the Committee on Private Law set up by the Committee of the Transit Organisation on Inland Navigation. At its first meeting in January 1926 this Committee, which is to prepare the unification of the rules of law affecting inland navigation, included the following questions in its programme of work: nationality of vessels — ownership, mortgages and preferential rights — articles of agreement and working conditions. The proposals made on these lines were approved by the Committee on Inland Navigation, provided that the procedure to be adopted in dealing with the last mentioned question should be laid down in agreement with the International Labour Office, in order to avoid any conflict on the question of competence.

In consequence of this decision, the Office was invited to be represented at the second meeting of the Committee on Private Law, which was held at Hamburg from 26 to 30 July. The Committee recognised that the International Labour

Organisation was alone competent to deal with the international unification of working conditions strictly so-called, but felt itself unable to prepare international rules for the utilisation of waterways without taking account of the provisions which at present apply to persons engaged in this form of navigation. The Committee therefore requested that all desirable information on this point should be communicated to it for its next meeting, and it appointed a special sub-committee, composed of two members of the Committee and a representative of the International Labour Office, which has drawn up a detailed questionnaire which can be used as a basis for enquiries. These enquiries, which so far cover only European countries, are being made particularly in the countries traversed or bordered by international waterways.

57. *Unemployment.* — The Mixed Committee on Economic Crises has not met since 4 March 1926. The work of that meeting was reported verbally to last year's Session of the Conference. It was decided that a number of experts on index numbers and business forecasting should meet to examine the best methods of establishing economic barometers. These experts met at Paris from 13—15 December 1926, as follows: Mr. Basch, Mr. De Boscq-Kemper, Mr. Bowley, Mr. Flux, Mr. Furlan, Mr. Gini, Mr. March, Mr. Olbrechts, Mr. Wagemann, and two officials from the International Labour Office. A report was drawn up which will be laid before the Mixed Committee at its next session.

Moreover, in accordance with the request made at last year's Session of the Conference, the Office has taken the necessary measures to bring before the Mixed Committee on Economic Crises the question of the distribution of public works and the question of a suitable policy of railway rates for goods transport. Professor Wagemann, Director of the Berlin "*Institut für Konjunkturforschung*" has undertaken to prepare a report on the second of the above questions. On the first question the Office itself has prepared a memorandum which was distributed to the members of the Mixed Committee in November 1926.

58. *Mandates.* — The representative of the Office attended the two Sessions of the Permanent Mandates Commission held since the last Session of the Conference. The Commission is devoting more and more time and attention to labour problems, and the contention maintained on many occasions by the Office's representative that with the development of satisfactory labour conditions the work of the mandatory powers will be lightened is being generally approved.

During its 9th. Session (8-25 June 1926) the Commission considered the an-



nual reports on nine mandated territories. At its 10th. Session (4-19 November 1926) it examined the annual reports submitted by the mandatory powers on the administration of six mandated territories. Among the questions concerning labour discussed by the Commission during this session the most important was once again that of forced or compulsory labour. The provisions of B and C Mandates on this matter have led to much discussion by reason of the different meanings assigned to compulsory labour in the various colonial territories. Memoranda had been submitted to the Commission by the Vice-Chairman and by the Office's representative, and at its 10th. Session the Commission invited them to consider whether they could not embody their views in a joint text. The Vice-Chairman and the Office's representative will therefore submit to the Commission, at its next session, a draft text intended to enable it if possible once and for all to clear up these difficulties of interpretation.

On the general question of forced labour the Commission decided to postpone discussion, since the Office and its committee of experts on native labour are studying this matter. It may be mentioned here that four members of the Permanent Mandates Commission are also members of the committee of experts.

In its observations on the reports, the Commission indicated that it would like to receive supplementary information on a certain number of points relating to labour. Finally, it is not without interest to note that in the controversy regarding the list of questions submitted by the Permanent Mandates Commission to the Council of the League of Nations no criticism, as far as the Office is aware, has been made on the questions concerning labour included in the list.

59. *Slavery.* — The 6th. Assembly of the League of Nations provisionally adopted a draft Convention on slavery which contained an article dealing with forced labour.

The 7th Assembly (1926) instructed its 6th. Committee to consider this draft. An amendment to Article 6 and two resolutions were adopted to which attention should be drawn here.

Article 6 as adopted in 1925 laid down in paragraph 1 that "in principle, compulsory or forced labour may only be exacted for public purposes". In paragraph 2 it prescribed that forced labour for other than public purposes should be progressively suppressed and for the time being be regulated. The term "in principle" was strongly criticised. In particular, it was objected that the absolute nature of the obligation to do away with forced labour for other than public purposes was vitiated by the clause, according to which a period of transition might seem necessary. It was therefore

decided, on the proposal of Dr. Nansen, to replace the term "in principle" by a phrase bringing out clearly the transitional nature of the provisions of paragraph 2.

The first resolution adopted recognises that forced labour for public purposes is sometimes necessary, but recommends that it should not be resorted to unless it is impossible to obtain voluntary labour, and should receive adequate remuneration.

The second resolution, relating directly to the work done by the Office on the question of forced labour, was also adopted by the Assembly. At the 6th. Assembly in 1925, Dr. Nansen had brought before the 6th. Committee a draft resolution inviting the Office to study the problems relating to forced labour. The 6th. Committee decided to mention this proposal in its report, and in 1926 the question came up again before the Assembly.

During the long discussion which followed the Office was able to define its position clearly. The Assembly noted that the work undertaken by the Office was within the normal competence of the International Labour Organisation; it recognised the importance of the task before the Office within its proper sphere of action; and, with the intention of co-ordinating the whole work of the institutions of the League of Nations, it took "note of the work undertaken by the International Labour Office in conformity with the mission entrusted to it and within the limits of its constitution", and, "considering that these studies naturally include the problem of forced labour", requested "the Council (of the League) to inform the Governing Body of the International Labour Office of the adoption of the Slavery Convention, and to draw its attention to the importance of the work undertaken by the Office with a view to studying the best means of preventing forced or compulsory labour from developing into conditions analogous to slavery."

The Council of the League communicated the full text of the Slavery Convention to the Governing Body at its 34th Session.

Thus has been established fruitful cooperation between the institutions of the League of Nations for the abolition of the last survivals of degraded forms of human labour.

60. *Disarmament.* — In December 1925 the Council of the League of Nations appointed a Preparatory Committee for the Disarmament Conference, which Committee was to prepare the work of the Conference on the reduction and limitation of armaments. This Committee was to be assisted by a Mixed Committee consisting of representatives of the technical organisations of the League of Nations and of two members of the employers' group and two members of the workers' group of the Governing Body of the



International Labour Office appointed by the Governing Body.

At its 30th. Session the Governing Body approved the nominations made by the employers' and workers' groups of their representatives on this Committee. The members of the employers' group who have been appointed are Mr. Hodač and Mr. Oersted. The members of the workers' group are Mr. Jouhaux and Mr. Oudegeest. These four representatives were previously members of the Temporary Mixed Committee for the reduction of armaments.

61. — The short review given above of the Office's relations with the League of Nations is sufficient to make it clear that the cooperation which exists between the Secretariat and the technical organisations of the League and the Office is continually becoming more extensive and abundant, closer and more reliant, and that a considerable distance has been travelled since the early days when the conscious efforts and plans first made to establish it had to overcome all kinds of hesitations and uncertainties. On the one side there are now no apprehensions of invasion by a rapidly expanding Organisation, while the other side no longer has fears of losing its independence or being subjected to outside control. Petty discussions as to competence have been succeeded by a spontaneous and confident division of labour. The technical organisations or services of the Secretariat do not ignore or have to be reminded of the share in the different departments of international life which falls to the International Labour Organisation: they automatically give it its due. They recognise the confidence which the labour world has in the Organisation and the prestige and support it can give to the League of Nations as a whole. The International Labour Organisation, too, knows the help which it can expect not only from the high moral authority of the League of Nations but also from its technical, economic, financial and social activities. It is its pleasure to join unreservedly in the common work for international organisation and the building up of peace.

#### *Conclusion.*

62.—The balance of the accounts rendered in this rather lengthy chapter may be briefly stated as follows:

An Organisation still comprising nearly all the sovereign States of the world as active Members, who are none the less anxious to remain Members even when they find they ought to withdraw or separate for the time being from other international activities;

Relations, perhaps still limited and uncertain, but already begun for information and investigation purposes with the important industrial communities which are not yet Members of the League of Nations;

The machinery set up by the Treaty of Peace, the International Labour Conference and the Governing Body, constantly running more smoothly and adapting itself more and more to deal with the difficulties of international life;

The internal organisation of the International Labour Office now well beyond the experimental stage, likely no doubt to be improved in the natural development of things, but already capable of meeting its varied and complex requirements;

A body of international officials becoming more homogeneous, devoted to its work, conscious of the novelty and so to speak the strangeness of its international position, but better trained to discharge the high duties imposed upon it;

Lastly, greater facility and confidence in the cooperation with the institutions of the League of Nations as a whole.

No doubt there are shadows in this picture. There can be no overlooking the fact that there is still something precarious and uncertain, in fact, something artificial, in the new institutions, that there are still those who systematically ignore all the Organisation's activities, and that a considerable number of States hesitate to enter wholeheartedly into the new methods of international co-operation. Hence the Office's complaint that it is limited and restricted in its resources and means. No doubt strict control may make the Office more vigilant, cause it to exercise more ingenuity and to improve its methods. But if one day there is to be a pruning and lopping, it is essential that in its early days the young tree should be more flourishing and its sap more abundant. Even such as it is, however, if the peoples of the world will really unite and co-operate, it is capable of providing them with good and beneficial fruits.

## CHAPTER II.

## INTERNATIONAL INFORMATION.

63. — The work of the International Labour Office is to put into operation the principles of justice formulated in the Treaty of Peace and to build up a body of international labour legislation. Two preliminary conditions are necessary for bringing this work to full success. The Office must build its legislative work on a proper scientific basis. As Article 396 of the Treaty of Peace provides, it must collect and distribute accurate information for the different countries so that international conventions can be framed on a sound basis and national laws be brought into line with them. It must also have behind it the industrial and moral forces which influence public opinion and the decisions of Governments. If it fulfils these conditions it can wait until political or economic circumstances bring its work to a fruitful end.

Before considering the results obtained during 1926, then, it is proposed to follow the usual method and consider how the Office has organised generally its work of international information and how it has maintained or developed its external relations.

64. — From time to time the information work of the Office and its publications have been criticised. In some quarters it is desired that its activity in this field should be more restricted and narrowed, the idea being that it is dispersed in too many directions and assumes too many forms. The fact is, however, that it is industrial organisations and the States themselves which require the Office to carry out all kinds of investigations. Again, it is argued that the programme of the Office's publications could be improved by some rearrangement. But there would probably be a danger of the Office's losing in influence and the range of its appeal what it would gain in scientific value. In any case, it will be seen from the present chapter that steady progress is being made in the right direction and that the Office's information work is being carried out on sound and methodical lines.

*Centralisation of information.*

65. *Library.* — The value of the Office's library increases from year to year. The number of publications received by it in 1925 and 1926 is as follows :

	1925	1926
Books . . . . .	4,447	5,330
Brochures. . . . .	6,038	8,029
Total. . . . .	10,485	13,359
Publications (series) .	3,820	6,413
General total . .	14,305	19,772

Thus, the number of publications received increased from 1925 to 1926 by 5,467, i.e. by 38.2 per cent.

In accordance with the recommendations of the Supervisory Committee, special attention has been devoted to the question of binding, and 19,000 francs have been spent for this purpose.

In the course of the year under review the move from the old to the new building took place. Owing to the hard work of its staff the Library only had to be closed for ten days on this occasion.

With a view to improving the organisation and working of the library, the librarian introduced a number of reforms during the year; for example, he started the system of numerical registration of the books, completing the decimal classification, and, in accordance with a suggestion made by Mr. Nederbragt, he has had the books arranged according to their size.

In pursuance of a decision of the Assembly of the League of Nations, the librarian has prepared a bibliography of all literature dealing with the International Labour Organisation. This bibliography has recently been published.

Preparations have begun for the publication of a printed catalogue of the books in the library.

66. *Documents Service.* — No considerable changes have taken place in the Documents Service during 1926. The task of methodically examining the daily newspapers and periodicals of three important countries is still carried out by a very small staff of readers. But the value of the Office's documentary material is increasing



in a manner which is extremely striking if not indeed unique. Thanks to this material, it is possible at short notice to compile an extensive bibliography on a large number of questions. Among the most recent bibliographies thus compiled is one of German literature on "rationalisation."

Considerable improvements have been made in the purely administrative side of the service's work (subscriptions, registration, loans, classification) as a result of improved material arrangements—e.g., a better method of registering periodicals, and shelving properly adapted for receiving unbound periodicals. These material arrangements not only enable the work to be done better and more quickly, but also make it possible to effect economies in staff. It is thus possible for the workers in this branch of the service, notwithstanding the fact that they are one fewer than three years ago, to cope with a continuously increasing amount of work. The number of periodicals reaching the Office, either gratis or as a result of subscriptions or exchange arrangements, is at present increasing every year by one-seventh.

An improved list of the periodicals received by the Office has recently been issued and a systematic catalogue of periodicals will shortly be published.

Binding has been speeded up as in the library; more than 1,500 volumes of periodicals were prepared between May and December 1926.

67. — One of the most interesting steps taken by the Office during the past year in the matter of documentary information is the systematic collection of the most important *collective agreements*. This is a necessary complement to the collection of labour laws and regulations.

It will, no doubt, be impossible, on account of the large number of collective agreements concluded each year, to maintain a more or less complete record of all agreements in force. It is, however, essential for the daily work of the Office to have information concerning the more typical regulations governing labour conditions in particular industries and countries. For some countries this work has been considerably facilitated by the regular publication in labour gazettes of texts, analyses or summaries of recently concluded agreements, but in the case of other countries it is rendered difficult for various reasons. In particular, in countries in which collective agreements have not the force of law, there are many obstacles to the collection of the required information; in some cases the agreements are even considered as strictly confidential and are therefore inaccessible to the Office.

A considerable amount of information has, however, been collected. Judicious classification and systematic examination

of the agreements will furnish the elements required for comparative studies on the method of fixing various labour conditions not regulated by law. The first study of this kind was published in the *International Labour Review* in December 1926, under the title "Annual holidays for workers and collective agreements". This is as specimen of the studies which may be made on the basis of the information collected. These studies will not only show the contractual provisions which complete existing legislation but will perhaps also indicate the lines on which regulations may be laid down in the future.

68. — Whatever care, however, be exercised by the Office in collecting its information, however desirous it be of centralising information, as the Treaty of Peace requires it to do, and of filing all information which will enable it at any moment to indicate the exact position regarding any labour question, the social problems are so vast that the resources of the Office alone are insufficient to discharge all the duties required of it. The Office is, therefore, obliged, besides sending questionnaires to the Governments in the normal way for the preparation of Conferences, to appeal from time to time to the Governments, industrial organisations or large private organisations for the further information it lacks on a particular question. It is gratifying to record that all those to whom the Office applies are willing to help. In many cases the Governments send very detailed statements of the situation in regard to a particular labour question in their country. These statements are of very considerable assistance to the Office in its work of analysis and comparison.

But administrative procedure is sometimes slow. A particular piece of information which the Office might desire to obtain in a few weeks is useless if it only reaches the Office after some months. An unfortunate position of this kind has arisen in regard to the enquiry into working conditions in coal mines which the Conference entrusted to the Office in June 1925. The Governing Body asked the Office to undertake the enquiry and gave it general directions in October 1925. The Office thereupon commenced its preliminary studies and in January 1926 submitted to the special Committee set up by the Governing Body for the purpose definite proposals and detailed tables to be filled up by the Governments and organisations concerned. The tables and notes in question were examined and verified at length and finally approved by the members of the Committee and despatched to the various Governments concerned in May 1926. The first useful reply reached the Office in October. Other replies were received at various intervals in succeeding months. At the time of preparing



this Report, almost a year after the Governments were approached, the Office is still waiting for the replies of three important countries. It is realised that the questions raised in the tables prepared by the Office are difficult of solution, but the Office cannot but point out how desirable it would be that, in dealing with problems which are at the present moment of the highest importance to employers and workers, the Governments should do all in their power to reply to the enquiries of the Office, not only fully, but as rapidly as possible. It is hoped that this request will be favourably entertained by the competent officials who read this Report.

69. — An interesting question concerning the cinematograph has been raised by a proposal submitted by Mr. de Michelis to the Governing Body for the creation within the Office of a collection of *cinematograph films* on the work of the Office and labour problems in general. On considering this proposal the Governing Body came to the conclusion that to make the collection suggested would cost too much money but that it would be useful for the Office to compile a list of films on labour questions, and it put the necessary funds for this work at the Office's disposal.

70. — The Office's *collections of pictures*, the beginnings of which were described in last year's Report, has been regularly kept up to date by the Registrar, and now includes some 900 plates. A general appeal was made for voluntary contributions to the collection. A number of friends have responded, and the Director takes this opportunity of expressing his thanks to them.

#### *Preparation of information.*

71. — The matter collected by the library, the Documents Service, the national correspondents and by other means represents the raw material utilised by the various Services of the Research Division.

In directing the activities of these Services two essential requirements have had to be taken into account in 1926 as in previous years: (a) the necessity of forming and keeping up to date, by conducting a kind of permanent enquiry, files containing full and comparable information regarding all the factors in the labour situation; and (b) the desirability of replying rapidly, without any sacrifice of accuracy, to requests for information from workers' and employers' organisations, etc., and preparing the documentary information on technical subjects required for the Conference.

The amount of work which has been required in the past year to supply the Conference with the necessary technical information on three such important ques-

tions as freedom of association, sickness insurance and minimum wage-fixing machinery has been unusually great. In addition to these subjects the Conference at previous Sessions had asked for information on other questions: studies on the situation of agricultural workers' organisations in the various countries (Mr. Suzuki's resolution), on vocational instruction, apprenticeship and re-apprenticeship, vocational guidance and technical education. Moreover, the Office has had to prepare and publish a number of studies for the International Economic Conference which is to open on 4 May. Reference has already been made to these studies: like the reports prepared for the International Labour Conference they have had to be got ready for a fixed date. Finally, the enquiry on conditions of work in the coal mining industry has had to be prosecuted with the greatest possible rapidity.

The above is not intended to be an exhaustive list of the scientific studies which the Office has had to carry out or complete in the course of the past year, in addition to its everyday research work. The various subjects are merely indicated with a view to drawing the attention of the Conference once more to the cool and balanced spirit which the members of the Office's scientific services must possess, in addition to adequate knowledge, intelligence and perspicacity. In view of their small numbers such coolness is essential to the workers in these services, if they are to devote the attention which it deserves to each subject which they are called upon to study, and within the limited time at their disposal to produce their reports without being driven almost to distraction by the multiplicity of the tasks which are heaped upon them.

The Second Section of this Report will show the results obtained in this field and will enable the Conference to form an opinion as to whether the Office's research work has effectively contributed to social progress.

72. *International unification of labour statistics.* — Among the various methods of compiling information the Office devotes special attention to the preparation of statistical reports. It makes a special endeavour to promote the international unification of labour statistics. It has been forced ever since its foundation to realise the importance of such unification, and has endeavoured within recent years to secure it according to a systematic plan.

Labour statistics are closely connected with labour legislation and social policy. They become necessary as soon as an attempt is made to improve the situation of the working classes, and their increased use has been proportionate to the greater responsibility assumed by the public authorities in economic and social matters.



As social policy becomes more extensive in scope and attempts to deal with more complicated problems, so the existence of accurate and detailed information becomes more and more essential if social reform is to be successfully directed towards improving labour conditions. Statistics represent the system and the method which enables Governments and administrative departments before introducing reforms to take a proper survey of existing labour conditions and to estimate the practical effects of their reforms once they are in operation.

The rapid development of social legislation and social policy since the war has given a considerable impetus to the compilation of labour statistics in almost all countries. By the establishment of an International Labour Organisation, for the purpose of preparing international labour legislation, the study of labour statistics has also been internationalised.

The International Labour Office has been studying since 1921 the methods employed in the various branches of labour statistics. Its studies are intended in the first place to provide a basis for discussion at the International Conferences of Labour Statisticians held under the auspices of the Office. They have, however, been planned with the greatest possible uniformity in order to make possible the gradual elaboration of a comprehensive study on the methods of labour statistics from both the international and the national points of view. The Office has endeavoured, first, to collect information in regard to the statistical methods employed in the different countries, secondly, to examine the accuracy and utility of the various methods in the light of the principles of social policy, thirdly, to lay down principles for the international unification of the various branches of labour statistics with due regard to national requirements, and, fourthly, to secure the co-ordination of these various branches on systematic lines.

The statistical reports published in 1923-25 dealt with the classification of industries and occupations, methods of compiling statistics on wages, hours of work, industrial accidents, and unemployment insurance and of determining cost of living index numbers and preparing economic barometers. This work was continued in 1926 by the publication of three reports on methods of drawing up family budgets, methods of compiling statistics of trade disputes and methods of compiling statistics of collective agreements. A thorough examination of the systems of industrial classification in the various countries has also been carried out. This examination and the study of family budgets were undertaken in consequence of the resolutions adopted by the International Conference of Labour Statisticians in 1925.

In compiling the other two reports, the Office has broken new ground in the matter of labour statistics. As trade organisations have become more powerful and have been playing an increasingly important part in regulating labour conditions, collective agreements and trade disputes have aroused a greater interest in economic and social conditions. These two branches of statistics are really closely connected with each other. Trade disputes represent the actual breaking out of "industrial war", while collective agreements may be compared with international economic treaties. Notwithstanding the importance of trade disputes and collective agreements, statistics concerning them are in a number of countries still in a somewhat early stage of development. The Office's studies will provide a first basis for the unification and development of these interesting branches of labour statistics.

The Office's study of statistical methods as applied to housing was also completed in 1926. The Office has thus now studied the methods employed in almost all branches of labour statistics. Its work is, however, not yet completed. The studies which it has hitherto carried out have dealt with labour statistics in general. But besides general questions there are a number of other questions arising out of the special conditions in important industries. The Office has already devoted attention to some of these special questions, e.g. statistics of wages and hours of work in the mining industry. In future its studies on international labour statistics will be directed towards problems of this kind.

#### *Distribution of information.*

73. — The work done under this head increases every year. In 1925 the Office received 687 requests for information (as compared with 505 in 1924). In 1926 more than 800 such requests were received. As in previous years, this figure does not include requests received by the Office's local correspondents and replied to by them with or without the assistance of the Office itself.

The requests received at Geneva in 1926 may be subdivided according to countries as follows (the figures for the preceding year are indicated in brackets): Great Britain 137 (120), Germany 114 (94), Switzerland 112 (68), France 92 (78), United States 43 (41), Belgium 40 (25), Italy 37 (33), Czechoslovakia 32 (25), Poland 21 (25), Netherlands 17 (16), Austria 17 (17), Australia 14 (8), Sweden 13 (11), Luxemburg 12 (8), India 10 (4), Roumania 9 (11), Japan 8 (7), Russia and Ukraine 6 (3), Spain 6 (7), Norway 5 (5), Saar Territory 4 (2), Canada 4 (7), Argentina 3 (4), Chile 3 (1), China 3 (0), Finland 3 (1), Greece 3 (4), Hungary 3 (4), Ireland



3 (8), Kingdom of the Serbs, Croats and Slovenes 3 (3), Palestine 2 (1), Turkey 2 (0), Denmark 2 (6), Lithuania 2 (0), Latvia 2 (4), South Africa 1 (3), Brazil 1 (1), Bulgaria 1 (0), Egypt 1 (2), Esthonia 1 (0), New Zealand 1 (2), Persia 1 (0).

In addition, 18 requests were received from international workers' organisations.

Certain countries which are not members of the International Labour Organisation have applied to the Office for assistance more frequently than in the past. The number of requests received from the United States of America, though only slightly higher for 1926 than for 1925, was nearly double that for 1924.

The requests for information received in 1926 may be further sub-divided according to their sources as follows :

Governments . . . . .	136
Employers' Organisations . . . . .	42
Workers' Organisations . . . . .	125
Co-operative Organisations . . . . .	25
Associations of disabled men . . . . .	16
Various bodies and individuals . . . . .	468

As in previous Reports, figures classified according to subject are given below :

	1926	1925	1924
Social insurance and industrial disabled . . . . .	69	74	42
Conditions of work . . . . .	68	65	82
Industrial hygiene and safety . . . . .	68	60	13
Activity and working of the International Labour Organisation . . . . .	55	23	22
Hours of work . . . . .	38	21	—
Co-operative questions . . . . .	36	15	14
Apprenticeship, vocational guidance and education . . . . .	36	34	19
Labour legislation . . . . .	35	21	14
Migration . . . . .	35	21	13
Wages . . . . .	34	48	16
Employers' and workers' organisations, freedom of association, industrial disputes . . . . .	34	30	17
Unemployment . . . . .	25	29	13
Production and general economic situation . . . . .	23	—	—
Protection of maternity, employment of women and children . . . . .	23	28	11
Cost of living . . . . .	20	8	3
Agricultural questions . . . . .	20	19	8
Scientific management . . . . .	16	2	—
Ratifications, interpretation of Conventions . . . . .	15	25	—
Collective agreements . . . . .	13	18	3
Native labour . . . . .	12	—	—
Weekly rest and holidays with pay . . . . .	11	21	3
Workers' dwellings . . . . .	11	19	7
Arbitration and conciliation . . . . .	9	11	12
Family allowances . . . . .	7	5	—
Placing of refugees . . . . .	7	12	—
Profit-sharing . . . . .	6	14	10
Works Councils . . . . .	4	—	—
Out-workers . . . . .	4	3	2
Protection of labour . . . . .	4	5	2
Welfare . . . . .	4	—	—
Maritime questions . . . . .	3	—	—
Utilisation of workers' spare time . . . . .	3	9	—
Alcoholism . . . . .	2	—	—
Night work in bakeries . . . . .	2	5	5
Organisation of labour ministries . . . . .	2	2	—
Miscellaneous subjects on each of which a single enquiry was received . . . . .	58	58	62

The figure given in the above table for the number of requests for information concerning hours of work includes only those dealing with that subject exclusively. If, however, account is taken of the fact that in every case where information is asked for in regard to conditions of work as a whole in a particular industry, the question of hours of work is necessarily included, it may be asserted that the greatest number of requests have concerned this subject, either separately or in conjunction with others, and that it therefore continues to be the one which most keenly interests the Office's correspondents. Similarly, requests for information concerning wages rank as the next most numerous.

The majority of the enquiries undertaken in 1926 at the request of Governments dealt, firstly, with conditions of labour including hours of work (23), secondly, questions of health and industrial safety (21), and, thirdly, social insurance (14).

The requests emanating from employers' organisations concern, firstly, wages (9), and, secondly, scientific management (7) and conditions of labour (7).

Information has been asked for by workers' organisations, firstly, in regard to general labour conditions (18), secondly, social insurance (11), thirdly, labour legislation (9), fourthly, trade union questions (8), fifthly, industrial hygiene (7). Weekly rest and holidays with pay come next in numerical order.

*Publications.*

74. —The general lines of the programme of publications of the Office were indicated in considerable detail in last year's Report.

This programme includes, in the first place, the official publications which are required for the working of the Organisation and contain necessary information with regard to its activities. The publications in question are : the Official Bulletin, the Record of the Proceedings of the Conference, the Minutes of the Governing Body and of Committees, and the series of Questionnaires and Reports with which delegates are familiar. In this series, in addition to the documents which have appeared in previous years in red and blue covers, there have been published this year the so-called " grey reports " containing the draft questionnaires and and the introductory investigations into the subjects which the Conference is to consider for the first time under the double discussion procedure.

The remaining publications are intended to furnish all interested in social progress with as complete and objective a picture as possible of the evolution of the conditions of the workers. Their purpose is to carry out from day to day that " collection and distribution of information on all



subjects relating to the international adjustment of conditions of industrial life and labour" which Article 396 of the Treaty of Peace makes one of the functions of the Office, and thus to prepare the way for the discussion of problems which may eventually be submitted to the Conference. Of these publications some appear at regular intervals, while others are single issues.

75. *Periodical publications.* — The Office continues to issue two periodicals of a general nature, *Industrial and Labour Information* (weekly) and the *International Labour Review* (monthly), and three special periodical publications, the *Monthly Record of Migration*, the *Industrial Safety Survey* (every two months) and the *Bibliography of Industrial Hygiene* (quarterly).

76. — Mention should also be made of the *Monthly Summary* of the work of the International Labour Organisation which the Office began to publish at the beginning of this year. For some six years past the Information Section of the Secretariat has published in several languages a monthly record of the work of the League. Readers of this Summary have long been urging the Office to publish a similar summary of its work. The Office has decided, for publicity purposes, to meet this request and to publish a summary in as clear and concise a form as possible for the information of all persons who desire to keep in touch with the work of the Office but have not the time to examine the various publications, sometimes rather lengthy, which are issued by the Office from time to time. This Summary will be included in the Monthly Summary issued by the League.

77. *Legislative Series.* — The Legislative Series, which reproduces from year to year the texts or translations of the more important laws and regulations on labour matters, continues to increase in volume. The volume for 1922 contained 1,056 pages, the one for 1923 contained 1,678, while the one for 1924, which has recently appeared, contains 2,000. Thus the number of pages has doubled in two years.

This rapid increase has been a matter of some concern to the Office on account of the considerable amount of work thereby imposed on its translators and the amount of money required for the printing of so large a volume in three languages. It has occurred to the Director that the scope of the Series might be restricted, and he has instructed his staff to endeavour to make a stricter selection of the texts for publication. But this process cannot be carried too far without the risk of detracting from the value of the work.

The publication of the annual volume continues to be somewhat in arrears, for a considerable amount of time is sometimes

required to procure the necessary documents from distant countries where social legislation is developing with increased rapidity. It is necessary to wait for the arrival of the final text before it is possible to print the volume.

In order to make the 1924 Series more handy for use it has been divided into three parts, the first two containing laws and regulations and the third a chronological index. This index gives the titles of 1,941 laws and sets of regulations, accompanied by brief commentaries. It is intended to maintain this division into three parts as long as the scope of the annual volume remains at its present proportions.

78. *Studies and Reports.* — The number of these documents issued during the past year is somewhat less than in previous years. This is due chiefly to the fact that it was necessary for the Office to publish in three languages for the 9th Session of the Conference the voluminous collection of laws and regulations concerning seamen's articles of agreement. The printing of this volume absorbed a large portion of the money available for printing. During the past twelve months the following Studies and Reports have appeared :

*Series B. Economie Conditions.*

- No. 15. Refugees and Labour Conditions in Bulgaria. French and English editions. (38 pp.)
- No. 16. Industrial Conditions and Labour Legislation in Japan. French and English editions. (119 pp.)

*Series F. Industrial Hygiene.*

- No. 10. Medical inspection of Factories. French edition.

*Series N. Statistics.*

- No. 9. Methods of Conducting Family Budget Enquiries. French edition (112 pp.) English edition (104 pp.)
- No. 10. Methods of Compiling Statistics of Industrial Disputes. French edition (60 pp.). English edition (66 pp.).
- No. 11. Methods of Statistics of Collective Agreements. French and English editions. (40 pp.)
- No. 12. The Third International Conference of Labour Statisticians. French edition (126 pp.), English edition (124 pp.).

*Series O. Migration.*

- No. 2. Migration Movements 1920-1924. French edition (108 pp.). English and German editions.

*Series P. Seamen.*

- No. 1. Seamen's Articles of Agreement. French edition (988 pp.). English edition (908 pp.). German edition (1,056 pp.).
- No. 2. Protection of the Health of Seamen against Venereal Disease. French edition (80 pp.). English edition (76 pp.).

79. *Special publications.* — (a) *International Labour Directory.* Part II of the Directory, which it was stated in the last Report would be published shortly,



appeared not long afterwards. The Director has satisfaction in stating that it did not give rise to the criticisms which have frequently been brought against previous editions. Now that the various sections of the Directory have been revised, it is thought desirable to repeat its publication at longer intervals than previously. The preparation of each new edition requires a considerable amount of work, and the printing is expensive. It is thought that it will be sufficient to re-issue each of the parts when circumstances require. For the moment the Office will simply prepare a new edition of the Co-operative Section of the Directory, which was last published in 1925 and is now out of print.

(b) *Encyclopaedia of Industrial Hygiene*. The publication of the *Encyclopaedia of Industrial Hygiene* has been continued slowly and has unfortunately been interrupted too frequently by the necessity of concentrating the whole energies of the Publications Section on the revision or printing of more urgent reports. About 50 brochures have, however, appeared both in French and English since the last Report. It is hoped that a certain part of the final edition of the *Encyclopaedia*, which will appear in a volume edition, will be sent to the printers shortly. The collection has continued to receive a very favourable reception in medical circles, and it is hoped that the final edition, which will be in a more convenient form than the provisional edition in separate brochures, will prove to be of great value.

(c) *International Survey of Legal Decisions on Labour Law*. In the 1924 Report attention was drawn to the criticism brought against the Office by Professor Edouard Lambert, of the Faculty of Law of Lyons, because it confined itself to publishing Acts and Regulations in the Legislative Series and did not devote sufficient attention to the decisions of the Courts. Such decisions of course form a supplement to the information on legislation which is absolutely necessary to anyone who wishes to understand the real legal position on any particular topic and the practical value of the Acts which are passed. The Office at once realised the importance of the omission to which Professor Lambert drew attention, but at the same time, it saw the practical difficulties which the suggestion presented. It is often a matter of some difficulty to select the enactments which are to appear in the Legislative Series, and it is of course infinitely more difficult to make a selection from among the immense number of legal decisions given every year in the various countries. In order to achieve some measure of success the Office was obliged to limit its efforts by beginning with a few countries only, and also to have frequent recourse to the assistance of

experts in legal labour problems and comparative law.

The Office has been fortunate enough to secure from outside the assistance of four eminent jurists, Professor Edouard Lambert of the University of Lyons, Professor Gutteridge of the University of London, Professor Luigi Rossi of the University of Rome and Professor Hœniger of the University of Freiburg (Breslau). In agreement with these experts it was decided to confine the enquiry to four European countries, France, Great Britain, Germany and Italy. Each of the four collaborators consented to undertake the collection and analysis of those decisions given in his own country which he thought suitable for the survey. Thanks to the assistance thus provided it has been possible to publish the first volume of the survey, which contains an analysis of the decisions promulgated in 1925. This would not have been possible if the Office had not received constant and devoted assistance from the eminent jurists mentioned above, to whom the Director has pleasure in expressing his deep gratitude.

It is fully realised that the survey in its present form is not yet perfect. The most serious criticism that could be brought against it is that it is confined to four European countries. Although it cannot be claimed that an international survey of legal decisions is useless unless it covers all the countries of the world, it is realised that even in the first stages of the work an effort should be made to include certain countries such as the United States where legal decisions are of primary importance in labour matters. Practical reasons will probably prevent the Office from doing this in the next volume of the Survey, but here is some reason to hope that it may be possible in the near future.

(d) *Publications for the International Economic Conference*. An account has been given elsewhere of the manner in which the Office has been requested to assist the Secretariat of the League of Nations in the preparatory work for the International Economic Conference. A list of the reports prepared for this purpose, all of which have been published separately, is given in § 52.

80. *Publications in languages other than French or English*. — The four periodicals published by the Office in German (*Internationale Rundschau der Arbeit*), Spanish (*Informaciones Sociales*), Italian (*Informazioni sociali*) and Japanese (*Kokusai Rodo*), the origin and objects of which have been mentioned in previous Reports, have continued to be issued by the Office's national correspondents concerned. Their circulation has greatly increased, and the receipts from the Spanish publication already exceed the expenses of printing and postage.



Efforts have also been made so far as financial resources permitted to publish as many as possible of the publications of the Office in German. As in previous years, the *Legislative Series*, the *Industrial Safety Survey*, the *International Labour Directory* and the *Bibliography of Industrial Hygiene* have appeared in German as well as in French and English. It has also been decided to publish the *International Survey of Legal Decisions on Labour Law* in German. As regards the Studies and Reports, 1,164 pages out of a total of 1,780 published in 1926 have been translated into German.

It will be remembered that endeavours have always been made to provide facilities for those delegates to the Conference who are not fully acquainted with one or other of the two official languages. At the Ist Session of the Conference it was decided to publish a Spanish edition of the Provisional Record. The Office has also endeavoured to supply a translation, or at any rate a summary, in German of the principal documents which are used as a basis for discussion. In order to carry this policy still further, it has been decided this year to publish for the first time a German edition of the present Report.

81. *Distribution of publications.* — The International Labour Office is placed in a somewhat difficult position as regards publishing work. It has been asked to use commercial methods for the sale of its publications, to fix its selling prices in relation to the cost of production, and to try to make receipts from the sale of publications cover printing expenses. But, however much the Office may wish to lighten that part of its budget constituted by printing expenses, it cannot be denied that there are a large number of its publications which would have to appear even if their sale brought in no money whatsoever. These include all the publications which may be described as official and also some of the reports (generally the most costly ones) which are required for the information of delegates to the Conference. There are also some publications such as the minutes of the Governing Body and Committees, or the Provisional Record of the Conference, which are not put on sale. The total sales of publications of this category cover little more than one-tenth of the printing expenses.

Although the sale of the publications described as publications for information purposes is more profitable, it must be remembered even here, in comparing receipts with expenditure, that one of the Office's duties under the Peace Treaty is the distribution of information. Since the Office is maintained by the contributions of the Governments, it is only logical that it should place at their disposal for the information of their various departments a reasonable number of copies of all its publications. It is also reasonable

that the Office should give special facilities, by the exchange of publications or otherwise, to various institutions or bodies which require the publications of the Office in order to educate public opinion and thus contribute to the ends which the Office has to serve. Such institutions include libraries, institutes for the study of social affairs, and the editors of periodicals which specialise on social or economic questions. An endeavour has been made to lay down rules as to the limits which should be observed in this matter and where the line should be drawn between free distribution of publications and their sale, but it is often difficult to apply them in a uniform way. The greatest difficulty arises from the difference in national usage. There are some countries where institutions and even individuals appear to be used to exceedingly generous treatment from their own Government Departments, and appear to expect similar treatment from the Office. In other countries even the Government Departments themselves are ready to pay for all the publications for which they ask, and the Office is obliged in fairness to refuse the money which they offer.

It will thus be seen that, although commercial methods may be adopted to some extent in the sale of the Office publications, it is impossible to take up a purely commercial standpoint in estimating receipts. Still less is it possible to take the amount of receipts as the sole criterion of the interest which the publications of the Office arouse. In replying to requests for information or for publications the principal concern of the Office should not be to increase its revenue from sales, but rather to be of use.

The fact that the Office thus encounters certain difficulties in increasing its sales enhances the significance of the fresh increase in the receipts from publications which took place in 1926. Sales rose from 133,000 francs to 149,600 francs, i.e. an increase of 12 per cent, while the actual cash receipts rose from 139,700 francs to 147,665. The increase could no doubt have been much greater if the receipts had not been considerably reduced by exchange depreciation in certain countries which are the best customers of the office.

Large as this increase is, however, the Office does not regard it as a maximum, or take the view that nothing more is required. The sum of 149,600 francs is a considerable one; still there is perhaps no country in which the circulation of the Office's publications could not be increased. In some countries these publications are still almost unknown to the general public. This is not in any way surprising. The Office has had to pass through a period of apprenticeship in its publishing work. At first it was somewhat cautious in relying on its own resources for commercial work, and thought it better to have recourse to the experience of private pub-

lishers to assist it in making its publications known. The contracts concluded for this purpose have not in all cases given good results. In some cases the Office has therefore resumed its freedom of action. On the other hand, the small credits and the small staff at its disposal make rapid progress impossible. Any idea of intensive international publicity has had to be given up. It was necessary to proceed by stages. One country after another was taken, and selected lists of addresses were prepared for each category of publications. This method has enabled the Office to increase its sales in Great Britain by 50 per cent in one year. In consequence, this country is now the largest customer of the Office, whereas previously it only took the seventh or eighth place.

Results of this kind give rise to great hopes. They show that, if the circulation of the Office's publications is not even larger, it is because they are too frequently unknown except in those circles with which the Office is in direct touch and which have formed the habit of making use of them. The increasingly numerous and favourable notices of the Office's publications which now appear will undoubtedly contribute to make them still more widely known and to further the efforts of the Office to increase their circulation.

82. — This short chapter has only attempted to indicate the general lines and

material organisation of the Office's information work, its investigations and publications, and not to give a summary of the different conclusions which might be drawn from the various pieces of work which have been carried out. The utility and effect of these different pieces of work will appear in the Second Section of this Report where the results obtained in the various departments of social reform are examined. No attempt will be made, however, to pass any opinion on their value: to some extent the Conference will be in position to do this for itself. It will be able to form its own opinion from the reports on minimum wage-fixing machinery, freedom of association and compulsory or voluntary sickness insurance which are submitted to it as to whether these studies have been carried out objectively, critically, and scientifically. Last year's Report indicated how attempts had been made to combine these strict methods of work with the necessity of meeting the various exigencies of the Office's daily experience. It is considered that further progress has been made in the direction of a proper organisation and coordination of the different tasks which the Office is asked to perform. In any case, the following chapter will show whether the Office's information and research work has met the great need for knowledge and accuracy which is being manifested on all sides.



## CHAPTER III.

### RELATIONS.

83. — An urgent appeal for more and more publicity has been continuously addressed to the Office throughout 1926. Not only is this appeal made by the daily visitors who discover the Organisation with surprise, but it also comes from across the seas. Every day further letters are received from Canada, New Zealand, the Dutch Indies etc.; and workers, Government officials, and even employers make the same request.

The Office needs no persuading : it knows better than any outsider the extent to which it depends on the support of public opinion, and it would be a commonplace to re-iterate the need it has of publicity. It was pointed out forcibly by Lord Burnham in his inaugural speech at the 9th. Session of the Conference that the ebb and flow of public opinion acted directly on legislative assemblies, and determined the policy of employers' and workers' organisations. If the ideal of social justice enshrined in Part XIII ceases to be a living force in the minds of the nations and the desire for reform flags, the efforts of the Organisation will be in vain. One of the duties of the Office is to quicken the mind of the individual and give him fresh encouragement.

It has often been thought that the best instrument of publicity is the activities of the Organisation. In this respect the Sessions of the Conference are particularly effective. Mgr. Nolens, in his concluding speech as President of the 8th. Session, said with reason : " I should not be surprised that some delegates, who are here for the first time and were pessimistic and sceptical at the beginning of the session, should go away with the conviction that if this International Labour Organisation did not exist, it would have to be created." Again, if an important improvement is obtained as the result of a Convention, this may be worth almost ten years of publicity in the country concerned.

But the recognition of an achievement is not always proportionate to its worth. There are good works which do not shine in the darkness. In the silence

and chaos of the modern world public opinion is accustomed to be appealed to, and this has been fully appreciated by the Secretariat of the League of Nations, whose Information Section is extremely strong. It consists of 43 members, with a budget of 680,671 francs, while the Information Service of the International Labour Office consists merely of thirteen members whose total salaries amount to 239,100 francs. Even so they only treat press publicity as subsidiary to their principal work of obtaining the national information required by the various services of the Office.

However this may be, the Office constantly endeavours to make the best use of the modest resources at its disposal, and regardless of the efforts expended it applies constant ingenuity in doing so. The information issued daily is hardly dramatic or sensational, but the Office nevertheless succeeds more and more in interesting the press and even the telegraphic agencies. No serious political conflict is raised at the sittings of the Governing Body, but the publicity which it was decided to give to these sittings a year ago has contributed in no small measure to make the aims and activities of the Organisation better known.

Systematic efforts are being made to help on the work for peace or to strengthen it by the Office's own publicity. Reference has already been made (c.f. Chapter II, § 76) to the publication of the new monthly summary of the work of the Organisation.

During the year 1926 progress has been made with the issue of publicity brochures of various kinds. As a souvenir of the inauguration of the new building, an illustrated album was issued in English and French. A small 8-page folder has also been produced, containing brief information with regard to the membership and objects of the Organisation, the composition and work of the Conference, the Governing Body etc. This folder has been of great use to give to the large number of visitors who now come to see the Office. Six new pamphlets have also been issued in a publicity series begun two years ago. They explain briefly the work done by the International Labour Organisation on unemployment,



migration, the protection of children, women's work, maritime questions, and the collection and distribution of information.

Some new books and articles have been written on the Organisation. Special mention may be made of *L'Organisation Permanente du Travail*, by Professor Ernest Mahaim (1925), and the *History of the International Labour Office*, by the Rt. Hon. G. N. Barnes (1926). These authoritative works will do much to spread a better knowledge of the activities of the Organisation.

Oral publicity has also received attention. A considerable number of lectures have been given throughout the year on the work of the Office, sometimes by members of the staff on vacation in their own countries, sometimes by members of the Governing Body, delegates to the Conference, members of committees and others. Radio-telegraphy has been more and more utilised, and in certain countries, e.g. Germany, a complete series of talks on the International Labour Office has been broadcasted.

Lantern slides have been used as much as possible in connection with lectures, particularly in country districts. The collection of slides in the possession of the Office has been increased, and the most recent methods of reproducing them upon a celluloid film instead of glass have been adopted. The slides are available for sale at moderate prices, and the Office also supplies collections to responsible lecturers on loan. The British League of Nations Union, with the help to some extent of the Office collection, has produced a series of lantern slides with explanatory letterpress for use at lantern lectures, and the International Federation of League of Nations Societies has adopted this series for use in the photo-scope.

A beginning has also been made in the utilisation of the cinematograph as a means of spreading information. A film was taken of the 8th. Session of the Conference and of the inauguration of the new building and was given a wide international distribution. Letters received by the Office even from South Africa have testified to the interest aroused by this film. The Office is studying the possibility of the production by cinematograph companies of films of an educative character relating to the different aspects of its work. The demand for such educational films is increasing.

Efforts are being made in certain countries to spread a knowledge of the work of the Organisation by organising essay competitions. In Poland the Stanislas Popowski Foundation has instituted a competition for studies on social questions. Among the nine subjects set, two related to the International Labour Organisation. An essay competition was also announced during the year in *Headway*, the organ

of the British League of Nations Union, on the International Labour Organisation.

In the last resort, however, nothing is as valuable as direct contact, and the Office has not spared itself in this direction.

The summer and autumn of 1926 saw a very remarkable increase in the number of visitors to the International Labour Office. A large proportion of them were Americans. The American Committee of the Geneva Institute, at the head of which is Dr. Manley O. Hudson of Harvard University, reckoned that over one thousand Americans visited the Office and listened to an explanation of the work carried on there. All classes of the community were represented — Bishop Manning of New York, President Lowell of Harvard University, President Pendleton of Wellesley College, Dr. James Brown Scott of the Carnegie Endowment, Mr. Raymond Fosdick of the Rockefeller Foundation, a number of prominent industrialists such as Mr. Hamilton Holt and Mr. C. G. Hicks, Mr. Sam Lewisohn, Mr. Filene, representatives of the American Federation of Labor such as Mr. Hutcheson and Mr. Farrington, Professor W. Wileox of the Bureau of Economic Research, etc. A large number of international organisations and summer schools also asked permission to visit the Office and have an explanation of its work — the International Federation of League of Nations Societies, the Universal Peace Congress, the International University Federation for the League of Nations, the Women's International League for Peace and Freedom, the International Congress of Secondary Education, 200 members of the Austrian Social Democratic Party, 60 workers from French Switzerland, a party of 60 Belgian teachers, a party of 50 professors under the Carnegie Endowment, a Congress of Swiss students, etc.

84. *Universities and Educational.* — It seems impossible, however, to reach and educate public opinion unless it is taken at its source. It is the younger generation which must be approached. Of particular importance therefore is the support which can be given by the universities. The Office endeavours to see that their libraries are provided with all the Office's publications, that lectures on the International Labour Office are organised in them, that lessons are arranged for in the regular courses on political economy, commerce or law, and that special courses on the Organisation are sometimes included in the programmes of university teaching.

An increasing number of students, with the approval of their professors and tutors, choose questions relating to the international aspects of industry and labour as subjects for their theses, and many of them come to Geneva to prosecute their studies in the library of the Office.

In this way a training ground of friends, publicists, and even officials is formed.



Some universities directly assist the Office in engaging staff by open competition — this was the case in 1926, for example, with the Argentine and New Zealand Universities.

But even more perhaps than the considered collaboration of professors and university authorities the Office welcomes the youthful enthusiasm of students for its work. Hopes for the success of the Office could scarcely be entertained if it had no support from the youth of the world.

The following instances will serve to show the interest which students take in its doings. The University Federation for the League of Nations recommended its members (Third Geneva Congress, 1-5 September 1926) to give attention to economic problems and to undertake an active campaign for the International Labour Office and the ratification of Conventions. The International Students' Confederation (Prague Congress, 18-28 August) desired to extend its relations with the Office and to have the latter's assistance in studying the conditions of life of intellectual workers, with particular reference to their unemployment. The International Student Service of the World Student Christian Federation (Karlovci Conference, 21-31 July) requested the advice of the Office on the relations between students and manual workers. The same enthusiasm has been manifested by the International Secretariat of Catholic Students' Associations, "Pax Romana", by the World Union of Jewish Students, the International Federation of University Women, the International Student Union at Geneva. No greater encouragement could be desired. But perhaps there is a danger that this will remain the movement of a minority, unless its action is prepared by bringing the mass of the people themselves to appreciate the ideals of the League of Nations.

The 7th Assembly of the League of Nations was occupied with the possibility of intervening in primary education. On the proposal of a sub-committee of experts, it was recommended that schoolmasters, teachers, directors of workers' educational establishments, industrial and agricultural schools, technical and continuation schools, evening classes, etc., should be provided with documentary material and prepared for giving instruction in the work of the League institutions. Instruction in the Labour Charter is even more essential, since the children attending primary schools will in most cases be the workers of the future, directly interested in international legislation. This was appreciated by the 7th Assembly when it recommended, as stated in an earlier part of this Report (§ 53), instruction not only in the Covenant of the League of Nations but also in the International Labour Charter.

85. *Relations with the Churches.* — As was stated in previous Reports, the Churches could hardly remain indifferent to the ideal of justice and fraternity enshrined in the Treaty of Peace. Certain of this fact, the Office hopes for valuable results from the great influence exercised by the Churches, whose help is being increasingly manifested in practical form.

The Catholic organisations, extending and developing their international activities, have come still more closely in touch with the work of the Office, and cordial and sustained collaboration has naturally resulted. In 1926, for example, the Office established contact with the International of Catholic Workers founded in September last. Set up in complete agreement with the International Federation of Christian Trade Unions, composed solely of autonomous workers' organisations, and having as its first and essential object publicity in favour of working class organisation, the new International of Brussels at once showed its readiness to support the Office.

A similarly sympathetic attitude is adopted by the International Catholic Union for Social Work which has just been set up by the Catholic schools for social work and the Unions of graduate social auxiliaries, with a view to more scientific work on an extended scale.

Again, during 1926 another recently created international organisation, the "Caritas", has given evidence of the interest which it takes in the work being done at Geneva. While the charitable activities of this organisation lie largely outside of the normal sphere of action of the Office, there is nevertheless opportunity for collaboration in some of the most important departments of the Office's work—protection of young people and children, technical education, emigration, workers' welfare, etc.

Since, moreover, the International Labour Organisation has been led in the normal process of its evolution to take energetic measures for dealing with forced labour, it knows it can count on the moral support of missionaries, whom the traditional policy of the Church cannot but interest in this undeserved hardship and cause to view with favour any measures for facilitating the transition from servile labour to free labour really consistent with the dignity of man.

As in previous years, the International Labour Office received and accepted invitations to be present at the "social weeks" held in France and Italy. The subject of the Havre week, "International Life", was of particular interest to the Office. In his course of lectures on the International Labour Office the Secretary-General of the International Association for Social Progress, Mr. A. Boissard dealt with its work in that comprehensive and sympathetic manner customary with instructors at these courses.



On several occasions and to a greater extent than ever before, Catholic reviews in various countries have not only given increased space to the International Labour Organisation, but have published detailed studies on its work. As a conclusion to two such articles, the Catholic review "*La Civitta Catholica*", one of the best known Catholic journals, emphasised the agreement between the principles of Part XIII of the Treaty and the doctrines of the Encyclical *Rerum Novarum*: after urging Catholics not to underrate the importance of this "institute for the international protection of labour", but to give it their enlightened support, the author continued as follows:

"There are some who consider this institution as an experiment which has failed. We are of opinion that a body of this kind, in which 56 nations unite for the defence of the workers, is always useful, even if only as a standard floating above the prejudices and the blind passions of extreme nationalism. The work of the International Labour Organisation... is, moreover, the best reply to such criticism."

As regards the Protestant Churches, it will be remembered that the Universal Conference on Christian Life and Work held at Stockholm in 1925 stressed in its message the necessity of safeguarding in industry the essential elements of human personality.

The Committee set up to pursue the work inaugurated at Stockholm desired to furnish the churches at once with the means of studying social and industrial questions from their own point of view. The Committee therefore devoted special attention to the idea accepted in principle at Stockholm of the creation of an International Institute of Social Christianity. At its meeting at Berne in August 1926, the Committee decided to set up this Institute, the seat of which was provisionally fixed at Zurich. The Institute will have an official delegate at Geneva. In informing the Office of the foundation of the Institute, the Committee expressed the desire to remain in close contact with the Organisation in order to provide the Churches with accurate information on the research and other activities of the Office. As in the case of all institutions interested in social progress, the Office follows this innovation attentively and wishes it every success.

86. *Charitable organisations.* — The Office has remained in close touch with the large philanthropic organisations. It is collaborating with the League of Red Cross Societies in the organisation of an international congress on social work to be held in Paris in 1928. One of the five sections of the Congress will deal with the question of "the family and industry". The work of this section, over which the Director has agreed to

preside, will include, *inter alia*, discussion of the prevention and relief of unemployment, family allowances and domestic education. The large associations for social work in various countries are actively co-operating in the preparations for this Congress.

The Office was represented by its Correspondent in Japan at the Second Oriental Red Cross Conference (Tokio, 20-25 November, 1926).

Regular contact has also been maintained with the International Red Cross Committee and the conferences which it has organised.

The relations begun in previous years with associations for the protection of children have also been maintained. The Office was represented by its Correspondent in Italy at the Congress of the International Child Welfare Association (Rome, 25-29 May 1926). The Office has also received support from the International Save the Children Fund.

The Office's relations with the Y.M.C.A. and Y.W.C.A., too, have been extended. Their work has been followed with all the more interest as they seem to be devoting more and more attention to social problems. In some countries, for example, chiefly the United States and in the East, the Y.M.C.A. propose to promote meetings of employers and workers for common study of the problem of industrial relations. The World Congress at Helsingfors (1-6 August 1926) showed the importance of this movement. As regards emigration and the utilisation of spare time, the steps taken and contemplated by these Associations are on the lines of the decisions of the Conference. Again, the Y.W.C.A. World Committee, at its meeting held in Oxford in July 1926, decided to take as its principles for social work the labour standards approved by the International Labour Organisation.

Thus charitable and other organisations whose object is to promote union among all classes are gradually developing their work together along the lines of the decisions of the Conference. By such co-ordination they will give further support to the application of international labour legislation.

87. *Women's organisations.* — The Office has continued to follow attentively the women's movement for the purpose of obtaining their assistance in awakening public opinion. The Office has noted the tendency of general organisations to deal with labour problems—the Pan-Pacific Women's Congress to be held in 1928, the International Council of Nurses, the International Council of Women, all organisations now dealing with the health and the work of women in industry. At other times its attention has been attracted by the women workers' movement—the International Committee of Working Women, attached to the Amsterdam International



Federation of Trade Unions, the Conference of women belonging to the Socialist International, the International Federation of Christian Trade Unions, etc. To all these organisations the Office earnestly appeals to interest themselves in the fate of the Conventions for the protection of women and children. They are urged to arouse public opinion to demand the ratification of these Conventions, adopted as they were by the Conference unanimously.

On the question of women's work, however, there are opposite standpoints which have to be considered. On one side, the Christian organisations, while not refusing their collaboration, insist on the fundamental idea of abolishing factory work for married women. The German Christian Union of Textile Workers, for example, on the occasion of its thirtieth anniversary, denounced such work as "the most intolerable and most serious evil of the present economic organisation of society."

On the other hand, it is the considered policy of other women's organisations to refuse to assist the Office in securing special protection for women workers: they maintain the principle of the absolute equality of men and women. Thus, at a Congress of the International Woman Suffrage Alliance (Paris, June 1926), the advocates of such equality succeeded, after much controversy, in securing the adoption of a resolution declaring that "no special regulations for women's work different from regulations for men should be imposed on women" and that "legislation with regard to pregnancy and maternity should be on the lines not of forbidding women to select and continue in their own work, but of providing for them such economic and physical conditions as should make it possible for them to give birth to their children in the most favourable conditions." A mixed Committee of women's organisations in London, which did not include any working women, went so far as to protest to the Minister of Labour against the restrictions in the Factory Bill on the employment of women as regards hours of work, cleaning of running machinery, certain painting work involving the use of white lead, etc.

It is not for the International Labour Office to decide between these different theories. Its own theory is simply to defend and secure the adoption of the Conventions voted by the Conference. It may not out of place, however, to point out, first, that historically special measures for the protection of women have never constituted a serious obstacle to their employment, but have rather paved the way for the protection of workers in general, and, secondly, that the growing tendency to industrial specialisation may help to establish working conditions which are more suited to women's special physical and mental condition. In any case, it is the duty of the Office to deal with the

evils which are the most urgent. There are many women at present working in factories: they require protection. I do not think, moreover, the sentiment which tends to prevail not merely in workers' circles but even in women's organisations? The Office continues to hope that the women's organisations will soon be unanimous in aiding it in its efforts to secure special protection for women.

88.—In pursuance of the policy indicated in previous Reports, the Office has continued to seek the support of *Parliamentary associations*.

The *Inter-Parliamentary Union* did not hold any general congress in 1926, but its six permanent committees met at Geneva from 26 August to 1 September. The Committee on social and humanitarian questions decided to appoint a sub-committee to deal with emigration and immigration questions. Earlier in the year the Office had occasion to be represented at the 12th. Session of the *Inter-Parliamentary Commercial Conference* held in London (26-29 May 1926) and had the opportunity to appreciate the valuable collaboration established with this Conference, with which some misunderstanding seemed to have existed originally.

89. — The *International Federation of League of Nations Societies* has taken important steps to extend its support of the Office. On 6 March 1926 took place the first meeting of the special Committee set up by the Federation to follow questions of international labour legislation and, in particular, to support the work of the International Labour Organisation in this direction. The Committee adopted a certain number of resolutions for the purpose of expediting and increasing ratification of the Conventions adopted by the Conference. These resolutions were subsequently endorsed by the Annual Conference of League of Nations Societies held at Aberystwyth from 23 June to 3 July 1926.

90. — Excellent relations have been maintained with *associations of ex-service men and of the war-disabled*, who devote increasing attention to international problems.

Their international organisation, founded in September 1925, held its second international conference at Geneva in September 1926. It was attended by delegates of 21 national associations, belonging to 10 different countries and including more than three quarters of the organised disabled and ex-service men in Europe.

The Conference considered the position of the war-disabled in the various countries, using for the purpose the information which had been requested from the Office by the organisers. It laid down general principles which in its opinion should govern the amount of pensions and prepared a plan for the reintegration of



disabled ex-service men. It paid a tribute to the Office for having enabled those concerned to compare what had been done in the various countries by putting at its disposal methodically compiled information, reports on the placing of the disabled in employment, comparative tables on the cost of living and the scale of pensions.

Convinced of the importance of international relations between those who took part in the war and suffered by it, the Conference decided to put these relations on a regular basis and adopted standing orders which provide for the calling of an annual conference, the constitution of an international committee and the creation of a secretariat at Geneva. As in the previous year the delegates again emphasised the intention of disabled ex-service men to devote their efforts and resources not merely to the defence of their interests, but to the task of bringing the various nations closer together and organising the peace of the world. These resolutions are certainly very significant, but their full value can only be appreciated by those who moved in the atmosphere of cordiality and mutual understanding in which all the discussions were conducted.

The whole object of the Office's work is to collaborate in the organisation of peace for which the ex-service men's associations are striving. It was the Office that organised a few years ago the first meeting of experts on questions affecting disabled ex-service men and thus gave representatives of the associations in the different countries the opportunity of meeting for the first time at Geneva. The Office congratulates itself on the support which it continues to receive from this international organisation and considers it to be its duty to reply to the increasing number of requests for information required by disabled and ex-service men in the defence of their interests and the organisation of their activities.

91. — It is a fitting conclusion to this record of friendly relations to express the Office's gratification on the support it has had from the *International Association for Social Progress*. In previous Reports an account was given of the fusion of the former three international organisations for social politics. The newly-founded Association has already given evidence of its vitality. Its various national sections continue, frequently with success, their efforts to recruit further members and clearly define their relations with Governments.

The Association held its first general meeting at Montreux from 22 to 24 September 1926. Seventeen countries sent representatives; ten of these countries also sent Government representatives. The Director, accompanied by some of the experts of the Office, took part in the work of the Congress. The Director also

joins regularly in the work of the Management Committee.

In referring to the appeal addressed to public opinion by the officers of the Association last year, the Director expressed the apprehensions he then felt as to the policy of the Association. There seemed a danger that the old conception of the International Association for Labour Legislation, preparing conventions, summoning representatives of the Governments and assuming the conduct of scientific enquiries, might continue to be advocated in spite of more recent events and in spite of the creation of the International Labour Office. It was felt that, even if this conception were not advocated, it might still possibly happen that those who formerly took a leading part in the Association might endeavour to maintain its outlook, that there might be some duplication, and that a spirit of rivalry, perhaps even of hostility, might predominate.

These apprehensions were in reality unfounded. It has been a great satisfaction to the Director, both at the Montreux meeting and in the various meetings of the management committee, to note the clear and fair idea which the new Association has of its work in all departments. As regards the Conventions, the Association reiterated at Montreux the wishes expressed at Prague and Berne by the old Association for Labour Legislation. In its resolution it insisted on the necessity of immediate unconditional ratification by all countries of the various Conventions, particularly the Eight Hours Convention. It requested the various national sections to undertake active propaganda in their respective countries for this purpose. The Association thus defined its work in this sphere and its assistance will be of great value to the Office. As regards research and enquiry, the management committee and the Congress recognised that there could be no question of undertaking, with the precarious means at their disposal, studies or enquiries for which the International Labour Office is certainly better equipped; but the experts who comprise the majority of the various sections will examine the results of the Office's work, will perhaps criticise the methods employed, and will in any case draw attention to the conclusions in which the interest of the public and Governments must be created and sustained. Such, for example, has been the definite attitude of the Association as regards the prevention of accidents, social insurance, the international control of credit, and even unemployment.

Lastly, the Association is better placed than the Office to promote and press for new social reforms, or reforms which have not so far received sufficient attention. It may in this way inspire from without the decisions of the International Labour Conference. Thus, last year the Association laid special emphasis on the



need for the protection of employees. It claimed for them in all cases where special circumstances do not exist the benefit of such protective measures as apply to wage-earners. Again, in the French and German sections and in the management committee, thanks to the efforts of Prof. Ludwig Heide, a very interesting movement seems to be growing in favour of the Association's going beyond the somewhat limited sphere of the protection of the worker in his employment, and, as the name which the Association has adopted implies, dealing with a number of new questions of equal importance for the maintenance and happiness of society. Surely it is open to the Association to deal with problems such as the training of trade union leaders, the education of the citizen, now rendered possible by increased leisure, and the creation of a new spirit in industry and in the conception of labour. These are questions which the International Labour Organisation could not take up but which lie nevertheless at the very basis of its work. Thus defined and directed the collaboration of this Association, sometimes referred to as a branch of the Office, will be extremely valuable.

92. — The *Japanese Association for Labour Legislation*, the foundation of which was referred to last year, has not yet affiliated to the International Association for Social Progress. It has nevertheless given proof of considerable activity in pressing for the ratification of Conventions and the development of Japanese legislation on the basis of the Conventions. The Japanese associations for the study of social questions, industrial relations, welfare, etc. have also remained in contact with the Office during the year under review.

93. *Relations with workers.* — As usual, however, and in accordance with the policy of the Organisation, it is chiefly to the workers' and employers' associations that the Office must look for support. The success of the work of the Organisation depends on their existence and daily activities. The most important place among such associations is occupied by the International Federation of Trade Unions, the so-called Amsterdam Federation, on the workers' side, and the International Organisation of Industrial Employers on the employers' side.

The Director of the Office has sometimes been accused of systematically serving the policy of the International Federation of Trade Unions and of making the Office a branch of Amsterdam. Criticisms of this kind have never been made in the Governing Body. The Director is not aware that he has followed any other policy than that of carrying out the work laid upon the Office: the object he

has constantly kept in view has been to secure a united front and good understanding among all those who desire to build up international labour legislation. It is not through any action of his that the majority of the workers' delegates to the Conference nominated by the Governments belong to national trade unions affiliated to the Amsterdam Federation, or that this majority elects to the Governing Body a workers' group chosen from its own members and that thus the Amsterdam Federation does in point of fact control both the workers' group at the Conference and the workers' group in the Governing Body. As things are, however, the Director cannot but feel gratified that the Amsterdam Federation so whole-heartedly participates in carrying out the objects of Part XIII.

There is no need to refer here to the manifestoes, declarations and *démarches* by which the Federation itself or the organisations affiliated to it have endeavoured to induce Governments to ratify the Conventions, and more particularly the Eight Hours Convention. Perhaps the best illustration of the general attitude of the Amsterdam organisation is furnished by a resolution adopted by the Trades Union Congress, in which that Congress reaffirmed its confidence in the International Labour Organisation, requested the Minister of Labour to come personally to the International Labour Conference, asked that the Eight Hours Convention should be immediately ratified and congratulated the Office on its different enquiries.

Again, when the Amsterdam Federation convened the World Migration Conference at London in June 1926 it took care to co-ordinate its action with the work already begun by the Office. It not only based all the preparatory work of the Conference on the information collected by the Office's technical services, but in proposing that an international emigration office should be created in which trade union organisations should be represented it asked that this office should be set up within the constitution of the International Labour Office. In point of fact, some of the proposals adopted at the London Congress may be given effect to by resolutions of the Governing Body.

The Office continues to maintain active relations with the different organisations affiliated to the Federation. More and more requests for information are made to the Office, which endeavours to reply to them as fully and quickly as possible. Different national central bodies, international secretariats and national federations are continually asking the Office for the information they need. Some important enquiries on which the Office is engaged have helped to remove some feelings of distrust or even political suspicion and to win for the Office fresh



support. The enquiry into working conditions in mines has strengthened the friendship which the Miners' Federation has constantly shown towards the Office. Again, in spite of the vehemence of certain speeches the International Transport Workers' Congress also has defined and instituted possible methods of collaboration. Not only has it seen, through the representation of seamen in the Joint Maritime Commission, that the Office was sincerely endeavouring to work out ways and means of discharging its duties, but it has on its own initiative asked the Office to study the question of the electrification of railways and the special working conditions which this may produce. Further, the Congress has asked the Office to use its best endeavours to help in securing the safety of railway workers, more especially by means of automatic coupling. The daily correspondence which the Office receives shows that in all these directions increasing confidence is being placed in it.

The Office has also been careful to send a representative whenever it was invited to do so to attend most of the international workers' congresses (workers in the building industry, lithographic workers, factory workers, workers in the bookbinding trade and in the food and drink trades, postal workers, employees and technical workers). The Office has sometimes been criticised for going too far in this direction; in fact, the principle of its participation in such congresses has been objected to. The Governing Body, however, has authorised the Office to continue its previous policy, which, as a matter of fact, is considered most valuable. By personal attendance at these conferences it is possible not only to remove prejudices but, in these delicate and complex matters of international relations, to avoid fresh mistakes, to give accurate information and, to be frank, to educate the uninstructed. A mere conversation has sometimes been enough to explain impossibilities and to settle how a question might best be raised internationally. Besides, it is sometimes necessary to defend the fundamental conception of the Organisation against repeated attacks.

Hence the Office has been led to follow from day to day with the greatest attention the struggles between different rival policies or influences which take place from time to time either in the International Federation of Trade Unions or in the different countries. The results of these struggles may, for the time being, influence the future of the Organisation. In this connection some important trade union events took place in 1926. Though universal affiliation to a central federation has not yet been affected, and the check to the Anglo-Russian Committee has so far held up the possibility of fusion between Amsterdam and Moscow, there have at least been certain results by way of

re-grouping or *rapprochement* in the trade union world which have to some extent repaired the ravages caused by previous scissions and divisions.

During his visit to the Balkan countries in 1924 the Director was able to form an idea of the position of the workers' organisations in that part of the world.

In Bulgaria, the organised workers were, down to January 1924, divided into two sections — the General Federation of Trade Unions, a free organisation affiliated to the International Federation of Trade Unions at Amsterdam, and the General Federation of Workers' Trade Unions affiliated to the Moscow International. The agrarian-Communist disturbances in September 1924 decisively put an end to the preponderating position of the General Federation of Workers' Trade Unions, which was dissolved along with the Communist Party under the Act for the Defence of the Realm promulgated in January 1924.

In Greece a scission took place in 1920 in the trade union movement as well as in the political movement. The General Confederation of Labour, which up to that time comprised 350 organisations with a membership of 170,000, only had a membership of 60,000 at the end of 1925. At that time it decided to break off all organic relations with the Communist Party, and the Greek trade union movement considered the possibility of affiliation to the Amsterdam International.

In Roumania the development of the trade union movement dates from 1921. According to the report submitted to the Assembly of the General Council of Workers' Trade Unions held at Cluj in September 1923, the total membership of workers affiliated to this organisation was at that time 52,000, whereas before the general strike of 1920 the Roumanian trade union organisation had a membership of 200,000. The Cluj Congress decided on the affiliation of the Roumanian trade unions to the Amsterdam International, and stated that it was necessary to break with "the Communist demagogues whose policy would imperil the vital interests of the working classes in Roumania." In consequence of this decision the workers who were opposed to the Amsterdam International created a rival organisation composed of Communist elements and started an active campaign to nullify the decisions taken by the Cluj Congress. In June 1926 a conference was held at Buearest between the General Council of the Workers' Trade Unions and the representatives of the trade unions of the former Kingdom and of Bessarabia. The question of combination was discussed and a resolution adopted inviting the Roumanian workers to create trade unions independent of the Communist Party and to join organisations affiliated to the Amsterdam International.



In the Kingdom of the Serbs, Croats and Slovenes, the workers were first organised in 1922 under the General Labour Confederation, with a socialist platform. The workers who were still under the influence of Communism were grouped in a separate organisation, the Central Labour Committee. In the following years these two organisations not only did not collaborate, but were openly antagonistic and hostile to each other. The results of this chaotic situation may be imagined. What progress was effected in the field of social legislation was brought about more often than not without any assistance from the workers' organisations concerned. Consequently, it was underestimated by the workers and was not sufficient to bring home the necessity of positive and systematic action. It was only in 1925 and as a result of the disillusion produced by the Communist propaganda that there seemed to be any possibility of reorganisation and an atmosphere was created favourable to the holding of an inter-trade union conference. This conference was held at Sofia from 9 to 10 April, and was attended by representatives from the trade union central organisations in Bulgaria, Roumania, the Kingdom of the Serbs, Croats and Slovenes and the neighbouring countries of Hungary and Czechoslovakia.

The interest of this Conference lies not only in the fact that it settled paralysing disputes and facilitated certain amalgamations, but that it brought out the real value of free and systematic trade union action and organised the workers on the side of positive social legislation. Since this first Sofia conference the different organisations concerned have openly expressed the interest which they take, in connection with the question of freedom of association and with the different Conventions, in the work being done by the International Labour Organisation.

The Office entertained similar hopes of the conference between the Scandinavian and Baltic countries which took place at Stockholm from 6 to 7 December 1926. The initiative in convening this conference was taken by Swedish and Danish workers, because of the position of the Norwegian Trade Union Federation, which had for some time stood aloof from the Amsterdam International and had had no relations with the International Labour Organisation (a further instance of the extent to which participation in the one institution is affected by participation in the other), because of the position of the Finnish Federation and because of the small resources available to the workers' organisations in the Baltic countries.

There is no need to pass any opinion on the resolutions which were adopted on purely trade union matters, but the Office has no doubt that the creation of inter-trade union committees and the

institution of organic relations with the Baltic countries will sooner or later help to bring about a fuller measure of participation in the work of the Organisation.

In the American continent events seem to be taking a similar direction. Out of the chaos of small embryonic organisations it would appear that a greater measure of concentration is being produced and that there is already in some instances a desire for affiliation with an international federation. For example, in the Argentine the National Trade Union Conference has been created. It is founded on the principle of the free trade unions and its creation had been decided on at a conference held at Buenos Aires in 1924. The Conference has decided to affiliate to Amsterdam. Perhaps one of these days the Mexican Workers' Confederation will also join up with Amsterdam; at any rate, a recent visit to that country made by some of the Amsterdam representatives would seem to warrant this hope.

These are encouraging successes for the International Federation of Trade Unions, and the Office is sufficiently convinced of its loyal devotion to the objects of Part XIII to be pleased at its growing strength. The Amsterdam International needs these successes all the more because the workers' movement, which immediately after the war experienced the extraordinary boom of 1919-1920, is too often held back in its regular growth and expansion by political or economic events. It is at present difficult to measure either nationally or internationally the effects of the English miners' strike, for example. Again, unemployment crises often affect the membership of trade unions. The international trade union organisations have every reason to give their full support to the work of the international institutions set up by the Treaty of Peace. They will find in the success of such work security for their own existence and the certainty of their own prosperity.

94. *Christian trade unions.* — The Christian trade unions have shown the same attitude, if in a different way, in maintaining their full collaboration with the Office. In their case, too, the Office has maintained regular relations not only with their international federation (the Utrecht Confederation) but also with their national central groups, their fifteen international trade federations, and their federations in the individual countries. These relations have taken the form of exchange of publications, visits to congresses, exchange of publicity, etc.

The International Christian Miners' Federation has taken an active part in the preparation of the Office's enquiry into mines. In the courses which they organise for the intellectual training of their young trade union members and of their officials,



the Christian organisations have given a very important place to international labour legislation.

On the important work of ratification, again, the Christian trade unions have adopted a resolute and firm attitude which has helped the Office to obtain decisive results. The Office may perhaps go so far as to say that in this connection it has been glad at times to use the political influence which Christian trade unions can exercise. Such influence is a particular feature of the Christian trade union movement. Though their membership is not so high as that of the trade unions affiliated to the Amsterdam Federation, they know how discreetly and firmly to defend their ideas before different political parties in a number of countries. They even have direct representatives in different Parliamentary groups, and at times when social policy seems to be at a standstill they succeed in maintaining and developing protective reforms. Quite a number of Ministers of Labour and Social Welfare are at present Christian ministers — in Austria, Germany, Hungary, Czechoslovakia. They can hardly avoid listening to the views of the Christian organisations. The Office therefore welcomes the increase in the membership of the Christian trade unions as implying the possibility of new influence for the Office and success in obtaining ratifications. Even in distant countries, such as Canada, Mexico and South America, this influence is constantly on the increase.

Daily developments are thus manifesting the value of an idea which the Office has always maintained. The Office considers that all action which is taken to raise or emancipate the working classes can be fully combined and united to help to secure ratifications, and to put the Labour Charter into operation. The grouping of all trade unions into a single organisation, however necessary this may be, is perhaps still an ideal, but mutual cooperation is at least becoming more and more essential.

There is no need to refer further to the problems of representation in committees or in the Governing Body which have been outstanding for a number of years. The Office cannot change the rules which govern its action: anything it can possibly do to secure understanding and collaboration between trade union groups of all tendencies will always be done, but the Office cannot regulate the exercise of the constitutional rights which have been conferred on the different groups. Two facts may, however, be mentioned here. Firstly, the request made by Mr. Serrarens that proportional representation should be adopted in the workers' group has been referred to the Standing Orders Committee, which has begun to consider this important question and will discuss it further before the forthcoming Session of the Conference. Secondly,

conversations have been entered into between Utrecht and Amsterdam since the meetings of the Preparatory Committee for the Economic Conference with a view to a more uniform and better coordinated line of defence of the workers' interests. These conversations warrant some hope that the two Federations will definitely collaborate on certain limited questions, and the Office will be the first to express its pleasure at such a development.

95. — The relations of the Office with the *Fascist workers' unions* are more complicated and difficult, but not less real.

Reference has already been made (c.f. § 8) to the criticism levelled at the International Labour Office by the Italian Government and the Italian Press. The keenest criticism came sometimes from the trade union press itself. There is here no ground for astonishment: feeling is always keen — and fortunately so — in the world of the workers, and the origin of such criticism is clearly the annual protests against the credentials of the Italian workers' delegate. All that can be done is to repeat the hope which has been already expressed, that unjustifiable distrust should be dissipated by frank mutual explanations and that those elements of truth and justice which may promote the good of all should be sifted from the opposing theories through a general discussion of principle. It will not be forgotten that, as has often been stated, in all the more important discussions of the Conference and on the different Conventions and Recommendations the Fascist workers' delegates have regularly cast their votes with those of the workers of other views.

In any case, whatever opinion may be held as to the social development of Italy since the Fascist revolution, the organised Italian workers as a whole are to-day contained in the corporations. The unrecognised associations which are permitted by law to exist have disappeared. The only one to remain is a research association consisting of old members of the *Confederazione del Lavoro*.

This is not the place to examine in detail the Fascist corporative conception of the State, the rôle allotted to the trade unions, or the curious discussions which have recently taken place as to the character which trade unions should possess, or the activities of minorities, etc. These matters will be discussed in other publications of the Office. What may, however, be said is that on account of the importance of international action for the Italian working class and of the principles contained in the Labour Charter, and in spite of a highly centralised organisation which might lessen trade union activities, the Fascist corporations have continued to take an active interest in the activities



of the Office and have maintained constant relations with its services.

There are two main groups in the trade union organisation in Italy — the General Confederation of Fascist Trade Unions, which comprises manual and non-manual workers' associations, and the Federation of Maritime and Aerial Transport Workers, which remains autonomous. The Fascist Seamen's Association belongs to the latter Federation. The Office has maintained relations with both of these groups. The Confederation of Fascist Trade Unions has even formed a special service, with Mr. Cucini at its head, which deals with relations with the International Labour Organisation — exchange of publications and information, enquiries of various kinds, etc. An occasion recently arose, for example, for the Office to provide the Confederation of Fascist Trade Unions with detailed information on legislation regarding out-work, and the working time tables and wages of telegraph and telephone employees in certain countries. Again, full information on the trade union organisation and on the conditions of work of seamen in the different countries has been asked for by the National Seamen's Association.

The Office will continue to keep in touch with the chiefs of the Fascist trade union movement in the interest of both sides. It will continue to follow with close attention the development of a policy which appears to be directed, as the Italian Prime Minister has frequently and unmis-takeably declared, towards building up the State on a corporate basis.

96. — In addition, however, to these three groups which so to speak are in the forefront of the Conference, reference must be made to the position of the trade union movement in other quarters of the globe and to its effect in supporting the work of the Organisation.

To take *Japan*. The movement in that country continues to expand in spite of divisions and difficulties and to emphasise the part played by the International Labour Conference in promoting international legislation. No doubt the Japanese workers have been more concerned during the last twelve months with political questions than with trade union matters, and indeed this is inevitable in view of the approach of the first general elections to be held under the universal suffrage system. Nevertheless, although some confusion and scissions may have been caused by political excitement, it is reassuring to see that the strength of the workers' unions as a whole has not been shaken. Four proletarian parties have been formed, which may be classified in three groups, right, centre and left, according to variations in their political and economic views. The right group, which forms the Social-Democratic Party, (*Shakai Minshu To*) in which the Japanese

General Federation of Labour is the chief element, includes in its programme such claims as "the effective application of the international labour Conventions" as well as the promulgation or revision of other social laws. Although the international labour Conventions are not expressly mentioned by other parties, such as the Japanese Farmers' Party (*Nihon Nomin-To*), the Japanese Labour Farmers' Party (*Nihon Ro-No-To*) and the Labour and Farmers' Party (*Rodo-Nomin-To*), it is interesting to note that all their programmes contain principles analogous to those laid down in the international labour Conventions. The Japanese Trade Union Council (*Hyogi Kai*), which is communist in tendency and which supports the Labour and Farmers' Party, is perhaps the only one which displays definite opposition to the Organisation. With this exception, the Japanese workers' organisations take a keen interest in the work of the Organisation, an interest which found expression last year, to the great satisfaction of the Office, in the adoption of numerous resolutions calling for speedy ratification of the international labour Conventions.

In the *Dutch East Indies*, again, a central trade union organisation has been formed. Its object is to protect the moral and material interests of workers employed by the Government and in private industry and to secure the adoption of social legislation.

Throughout the whole of the Far East in fact there is a turmoil of ideas and movements in which all kinds of different influences clash. Some description will be given later, in connection with the Asiatic enquiry, of the movement towards trade union organisation which is beginning in the midst of the Chinese nationalist agitation. But even as between country and country there are signs of developments. On one side there is the Moscow *Internationale* proposing to convene a Far Eastern Trade Union Congress at Canton. On another side there are the workers of *Australia* proposing to continue at the Congress to be held in May 1927 their efforts for the unification of the trade union movement in their own country and at the same time striving internationally to strengthen the links binding them to the New Zealand Federation, which has been invited to the May Congress: they are proposing to go even further and hold a Pan-Pacific Conference.

Closer relations have been established with the Australian workers' organisations. The Office has had a good deal of correspondence with them and requests from them for information have been more and more numerous. During the twelve months under review extensive economic investigations have been carried out by the Australian Basic Wage Commission. This will show how great an interest the docu-



mentary information collected by the Office must possess for this country.

In *South Africa*, the trade union movement is still in process of coordination. The Trades Union Congress, which may be regarded as an attempt to establish an all-embracing national trade union federation, has already had its second session. Until, however, this federation has won an undisputed place in the economic and industrial life of the Union of South Africa, it is perhaps only natural that interest in international labour affairs will take some time to reach members of organisations which were never affiliated or associated with the South African Industrial Federation.

Two questions of importance will arise in the not too distant future; the one, the question of the affiliation of the South African trade union movement to such organisations as the International Federation of Trade Unions of Amsterdam, and the other, the place of organisations of workers of non-European origin in the confederated trade union movement. Of some interest in this connection is the growth of the Industrial and Commercial Workers' Union of South Africa. This organisation of non-Europeans apparently has hitherto not been accepted into membership of the national federation, although, on the other hand, by a decision of the General Council of the International Federation of Trade Unions the Union has been admitted to direct international affiliation, pending its admission to a national federation of trade unions in South Africa catering for white and black workers. It is also noteworthy that at the same meeting of the General Council of the International Federation of Trade Unions referred to, it was agreed that the affiliation of the South African Industrial Federation should formally cease.

Despite the volume of unemployment among the ranks of *Canadian* trade unionists, sustained interest has been taken by the Canadian Trades and Labour Congress in the progress and work of the International Labour Organisation. This is clearly to be seen from the reports of the Canadian labour delegate and technical advisers who attended the 8th and 9th Sessions of the Conference to the Canadian Trades and Labour Congress, which was held at Montreal in the latter part of September last. Still more recent evidence of this interest is the action of the Executive Council of the Congress, when it presented its annual programme of legislative demands to the Prime Minister and Cabinet of Canada on December 16 last. After reiterating a definite request for the ratification of conventions "which have been held to come within the jurisdiction of the Federal Government", the Congress associated itself with a demand "for greater powers to the Federal Government to deal with social and labour legislation, and particularly

that covered in the Recommendations and Conventions of the International Labour Conference". In this same programme, furthermore, the Congress again placed on record its recognition of the growing importance of the International Labour Organisation "in aiding the establishment of international economic and social stability".

In *Palestine*, there were 21,700 trade unionists grouped in 29 organisations in August 1926, and the national officials were expressing a desire to open regular relations with the Office.

With regard to the New World, the concentration movement in the *Argentine* Republic, which is urging the workers of that country towards the Amsterdam Federation, has already been referred to. Nor is this the only example of a re-grouping of the workers' organisations in South America, which have hitherto been so harassed and distracted by political schools or sects. In *Chile*, for example, a proposal for the foundation of a free trade union federation was adopted at an extraordinary Congress of the Union of Employees, held in March at Santiago. The idea was that this federation would comprise all the workers' groups which have hitherto been divided by theoretical differences. A special organisation, which will be affiliated to the Federation of Private Employees, has also been formed by the staffs of the public services. In *Brazil*, again, proposals submitted to the Central Labour Committee on 14 December 1926, have been utilised as a basis for the constitution of the Brazilian General Labour Confederation. This will give Brazil too its central trade union organisation.

In view of the spontaneity of the growth of all these different movements, it is impossible not to hope that the trade unions in the different countries will be strengthened and brought closer together by confident and regular collaboration and by still further union. This idea is one which the Office has frequently expressed; the union of the trade associations in all countries would be of extraordinary help to its work. It was stated in last year's Report that even in the time of Samuel Gompers the moral advantages of a *rapprochement* with the European trade unions had frequently been pointed out to American trade union leaders. Advantage has been taken of the cordial relations which have always been maintained with the American Federation's new President, Mr. Green, and of the friendliness which has always been shown by the Federation (c.f. § 11) to emphasise this idea again on more than one occasion. Nor has the idea been rejected by the American movement. In fact, the 46th. Annual Congress held at Detroit in October 1926 was unanimous in supporting a passage in the report of the Executive Committee which dealt



with the *rapprochement* of the American workers' movement and the workers' organisations in Europe, and which looked forward to the time when complete unity of the trade union movement would be effected in the International Federation of Trade Unions. The strong and resentful remarks of Mr. Andrew Furuseth, President of the American Seamen's Union, did not sway the Congress to repudiate the work of the League of Nations and the International Labour Office. The more the American workers develop their relations with the workers of Europe the more they will come in touch with the International Labour Office.

97. *Non-manual workers.* — Like the manual workers' organisations, non-manual workers' organisations have been considerably developed during the last few years. In Europe there are nearly two million non-manual workers who are grouped according to their views in the International Federation of Technical and Non-Manual Workers (free trade unions), the International Federation of Christian Non-Manual Workers' Trade Unions, and the International Federation of Independent Non-Manual Workers' Trade Unions.

Although some of the Draft Conventions and Recommendations concerning industrial workers are also applicable to non-manual workers, the latter have long had the impression that the International Labour Organisation did not interest itself in them sufficiently. Attention was first drawn to this category of workers by a number of delegates at the 1925 Session of the Conference, and a draft resolution was proposed suggesting that they should be taken into account in the agenda of the following session. Further developments took place in 1926.

One of the great difficulties had been the differences in theory and aims of the non-manual workers' organisations. There had been no unity in their claims. Three years ago when the International Association for Labour Legislation had set on foot investigations, the results of which were to be discussed at the Montreux Assembly, a conference of the majority of the non-manual workers' organisations was convened in that town. A common programme was adopted, which distinguished between questions on which international Conventions had already been adopted and those on which new regulations might be laid down. This programme having been unanimously adopted, the non-manual workers asked the Office to suggest how it could be dealt with by the International Labour Organisation. The Office thereupon requested some of the experts or representatives of the organisations concerned to come to Geneva in their private capacities to talk over the whole subject. The non-manual workers' representatives considered that the only questions which it was desirable to con-

sider at the outset for the agenda of the Conference were the suspension and termination of contracts of service, guaranteed payment of wages in case of involuntary absence from work, periods of notice, and compensation on termination of agreements. They also asked that the Office should collect all available documents on the closing of shops and the protection of inventors among non-manual workers. Systematic collaboration was thus begun, and an official of the Office was instructed to deal exclusively with investigation into these questions and with relations with organisations of non-manual workers. Further, the Governing Body was informed at its session in January 1927 of the desire of non-manual workers for an early Conference. These new developments will make it possible to obtain the confidence of a comprehensive category of workers who play an important part in the life of the communities and who have complained hitherto of being somewhat neglected by the Organisation.

98. *Employers' organisations.* — In comparison with its comprehensive relations with the workers and with the countless appeals which may be addressed to the International Labour Organisation by workers' associations of all countries and all shades of opinion, the Office's relations with employers' organisations would seem to be somewhat limited and insignificant. There are various reasons for this. Employers' associations have their own information and research services which make it unnecessary for them to appeal to the Office's services. Perhaps, again, by tradition the methods of the industrial associations are more cautious and less dependent on public life than the claims put forward by the workers. But the chief reason is perhaps that it is easier to effect co-ordinated action between a limited number of individuals than between representatives of large masses of the people. This explains why the Office's relations with employers' organisations rarely in effect extend beyond the central groups which are represented at the International Labour Conference or the International Organisation of Industrial Employers to which these groups belong. This latter organisation was perhaps slow in making progress at the beginning, but it has since undoubtedly attained to a unity of action and group discipline which on occasion is superior to the unity and discipline of the workers' group and which has an undeniable influence on the discussions both in the Governing Body and in the Conference.

In order to give an idea of the broad lines of the policy followed by the employers' organisations in regard to the International Labour Office, it would be necessary to study in some detail the movement towards international organisa-



tion and concentration of industry which is taking place at present. The work of the International Chamber of Commerce, the development of cartels, the private meeting of German, French and Italian manufacturers with British manufacturers, the creation of national and international committees for scientific management and the rationalisation of industry, and the convening of the International Economic Conference are all factors which cannot but exercise considerable influence on the ideas and attitudes of the employers' representatives in the Organisation. This influence may perhaps be somewhat diminished or checked by the distinction which still exists in most countries between employers' organisations set up strictly for the defence of trade interests and for labour questions and the purely economic and technical organisations. Perhaps even the employers themselves see the weakness of this representation of different interests and of the establishment of two distinct staffs with somewhat different outlooks. Here, as in other respects, it would seem to be a more or less urgent necessity that there should be some *rapprochement* between the economic and the labour standpoints. Perhaps this *rapprochement* will be gradually effected by the normal trend of events. Investigations such as those which are required on scientific management make it necessary to take these two aspects of the question into account.

In any case, the Office cannot but be gratified at the smoothness, method and regularity with which its relations are maintained with the International Organisation of Industrial Employers. Last year the wish was expressed that there might be a more regular and fuller form of co-operation between the Office's research services and the research or information services in the employers' organisations. In a number of directions such co-operation was successfully effected during 1926. The International Organisation of Industrial Employers, for example, was of very great assistance to the Office in its enquiry into the working conditions in coal mines. Employers' organisations, again, sent the Office valuable information on voluntary sickness insurance, and their assistance was used in revising the Directory. The fact that there has been a considerable improvement in the Directory is very largely due to their cooperation.

99. — It remains to consider how the Office has kept up its relations with the somewhat special categories of workers or employers who, besides their direct representation on the Governing Body or by delegates to the Conference, have always claimed to have special relations with the Office.

100. *Shipowners and seamen.* — The Office is in constant relations with shipowners'

and seamen's organisations. The position could hardly be otherwise, as the sessions of the Joint Maritime Commission on the one hand and the preparation of successive maritime Conferences on the other (one was held in 1926 and another will be held in 1929) make negotiations and exchanges of information almost a matter of daily occurrence. In spite of the conflict of interests, the Office may perhaps congratulate itself on having at length succeeded in obtaining with the shipowners the credit and moral authority which was formerly systematically denied to it. It is hoped too that by dint of sincerity and good-will the Office has to some extent gained their confidence.

Reference was made last year to the strong and undeserved charges levelled against the Office by the shipowners of the British Chamber of Shipping in its annual report. At the 6th. session of the Joint Maritime Commission, Mr. Cuthbert Laws, General Manager of the Shipping Federation, dissociated himself from the authors of the report, and pointed out that the British shipowners had two different organisations—the Chamber of Shipping, which deals only with commercial questions, and the Shipping Federation, which deals with labour questions. The Chamber of Shipping's criticisms of the value of the work of the Office on labour questions were clearly extrajudicial. It is a pleasure to record the frankness and loyalty with which the shipowners' representatives on the Joint Maritime Commission defended the activities of the institution in which they participate.

The independent outlook of shipowners and seamen nevertheless causes the Office formidable difficulties, as was shown at the last two sessions of the Conference. Shipowners and seamen are for the greater part in agreement as to the special maritime character which they claim should be given to the special sessions of the Conference held for their benefit (e.f. § 27). They are not in favour of States which only possess a small mercantile marine or which have merely indirect maritime interests taking part in these special sessions of the Conference. Seamen say they do not like to see landmen meddling with their affairs. Further, the feeling in some of the most powerful Anglo-Saxon or Scandinavian maritime nations appears to be that Governments themselves should only intervene as little as possible in maritime affairs. In these quarters the idea of national legislative intervention, and still more international intervention, is viewed with anything but sympathy. Shipowners and seamen, at any rate in certain countries, would prefer to see all questions settled by means of collective agreements with very little intervention by public authority.

This, then, is the great problem which crops up every day in the Office's relations



with the maritime world—how to give as much satisfaction as possible to this desire for independence and at the same time harmonise such different mental outlooks, at times so foreign to the very conception of the Organisation.

But, on the seamen's side, there are also problems of organisation and constant divisions which no sooner cease but they begin again between the different categories of workers, the national and international federations, and sometimes even between individuals. It is fortunate that the International Labour Office has been able to retain or to win the confidence of these opposing organisations in spite of many incidents. It has only been able to do so by abstaining from any intrigues or personal preferences and by carefully and unremittingly keeping its mind on the duties it has to fulfil. By proceeding in this way it is hoped that the Office will succeed in overcoming all the obstacles which it will meet in its path, particularly when it has to deal again with the question already placed on the 1929 agenda—the international regulation of hours of work on board ship. If it is really desired to succeed and to avoid the rejection of a Draft Convention, as happened at Genoa, it will be more than ever necessary to prepare the results of the Conference by continued negotiations wherein the confidence of the two sides will be the Office's only guarantee. With seven years of experience behind it the Office can approach this difficult task with some degree of optimism.

101. *Agricultural workers.* — The relations of the Office with the world of agriculture have been less complicated, but just as cordial, if not even more so. This is true not only of the actual workers, who have given further evidence of their loyal friendship for the Office, c.f. the facts that the Congress of the International Federation of Landworkers was held in September last at Geneva in order to effect closer collaboration with the work of the Office and that each of the three resolutions adopted by the Congress appeals for the help of the International Labour Organisation or alludes to the work which it has already accomplished. But it is also true of the private associations of employers, small cultivators, *fermiers*, and *métayers* (workers whose rent is paid partly in produce). In fact, organisations of agriculturalists in the widest sense of the expression have put aside all hesitation and misgivings in their relations with the Office. The last echoes of the great dispute of 1921 have entirely disappeared. Requests for documents or information or memoranda for the preparation of the International Economic Conference have furnished fresh opportunities for multiplying the points of contact. The representatives of agriculture on the Preparatory Committee

of the Economic Conference have constantly appealed to the Office for documentary information on points of interest to them. It is a source of the greatest satisfaction to the Office that the International Labour Organisation gains every day in strength and authority in the agricultural world.

The reorganisation of the International Commission of Agriculture which was forecasted in the Director's Report last year is now a fact. In future the members of the Commission instead of being appointed by the International Agricultural Congress will be appointed by agricultural associations in the countries which have adhered to the Commission. Further, the Commission itself may appoint personal members without a right to vote among agriculturalists of reputed standing.

The Congress will meet as hitherto every two years. The first section will be called the "International Conference of Agricultural Associations" and will deal with all questions of interest to the organisations as such. It will be entirely independent of the rest of the Congress as to its discussions and votes. Admission to the "Conference" will be confined to agricultural associations which have joined the Commission and paid their contribution to the special secretariat of the Conference at Brugg under the direction of Dr. Laur, who is also one of the vice-chairmen of the International Agricultural Commission. The International Agricultural Congress will meet this year at Rome in May, where, for the first time, the International Conference of Agricultural Associations will be a reality.

In accordance with its regulations one of the functions of the Commission will be to maintain relations with the International Labour Office as well as with all other international institutions dealing with agricultural questions. In his circular letter inviting the agricultural associations to join the Commission, the President, the Marquis de Vogüé, expressly stated that the International Commission of Agriculture will always "remain in close contact with the International Institute of Agriculture and the International Labour Office. From this collaboration the best results may be expected for the progress of agriculture and for the relations between the nations."

The hope expressed by the Marquis de Vogüé will be all the more justified since within the International Labour Organisation itself the desire for systematic collaboration is being more deeply felt.

In accordance with its usual methods of international collaboration the Office has maintained and utilised from time to time with greater success its collaboration with the Rome Institute in the Mixed Agricultural Committee (cf. § 37.) Even apart from this scientific collaboration, however, the Governing Body has expressed its intention to consult directly, if necessary,



agricultural experts who will probably be chosen as in the past among the representatives of the important associations. At the last meeting of the Governing Body (April 1927) it was decided that the six members of the Governing Body who represent it in the Mixed Committee would form a special committee which would, when desired, call for the help of experts. On the proposal of Mr. Oersted the agricultural experts have already been consulted by correspondence, prior to the Conference, on the question of sickness insurance which is to be discussed at the present Session.

It will thus be seen that occasions are continually arising for the collaboration which has now been put on a systematic basis.

102. *Intellectual workers.* — Perhaps intellectual workers are still less advanced than agricultural workers in international organisation. The very conception of intellectual worker being extremely complicated, it will be understood that difficulties of organisation exist.

Nevertheless, progress was made in 1926. In April the fourth annual Congress of the International Confederation of Intellectual Workers was held at Vienna. During the year several new international organisations came into being—the International Federation of Journalists, the International Federation of Authors and Musical Composers, and the Federation of Unions of Intellectual Workers. The Office has opened up relations with these various associations, and numerous requests for information have been received from them. The section devoted to intellectual workers in *Industrial and Labour Information* has been reprinted in the organs of these associations, which are aware of the services which the Office can render them.

But the problem of the representation of intellectual workers in the Office remains to be solved. It is gratifying that intellectual workers, as is shown in one of their Vienna resolutions, have understood the constitutional difficulties of the problem and have appreciated the good will with which the Office has been trying to find a solution. It was said in the Report to the Conference last year that the Governing Body had not thought it feasible to recommend officially to the Governments to include intellectual workers among the technical advisers to their delegations to the Conference. It is to be hoped, however, that intellectual workers will obtain such representation directly. No doubt they will derive considerable satisfaction from a new proposal made by Mr. de Michelis which was sympathetically received by the Governing Body — that the Governing Body should appoint a permanent advisory committee on intellectual work to assist the Office.

At the January Session of the Governing Body it was emphasised by representatives of the Government, employers' and workers' groups that it was in principle within the range of the work of the Office to investigate the economic and social conditions of intellectual workers. At the same time, in view of certain objections on the part of the Director of the Institute of Intellectual Co-operation on the eve of the Session, and in view also of the desire of some members to have more detailed information on the question, the Governing Body postponed the final discussion until the April Session. In April, however, it was decided to appoint the Committee. The necessary funds were provided for in the budget, but it was left to a committee of five, consisting of three members of the Governing Body and two members of the Committee of Intellectual Co-operation, to settle what representatives of intellectual workers might be consulted. It is hoped that it will be possible to hold a meeting of the Committee in 1928: effect will then have been given to a desire which has frequently been expressed by the intellectual workers.

103. *Co-operation.* — One link yet remains to be added to this chain of friendly relations—the friendship of the co-operative movement, which is still as strong as it always has been.

The relations of the Office with the International Co-operative Alliance and the national organisations have continued to expand as the Office has become better acquainted with the work of the federations in the various countries. Relations have also been opened with the co-operative study centres which have been formed in recent years with definite investigational aims, such as the *Seminär für Genossenschaftswesen* of Halle University, the Horace Plunkett Foundation in London, and more recently the American Institute of Co-operation. In the same connection mention must be made of similar research departments in the great federations such as those in Great Britain, Germany, Sweden, Finland, Switzerland, etc., which have been gradually transformed by an increasing need for information into centres of international study, at least in regard to part of their activities. Of importance also are the organisations which have been created in recent years, with a view to specialisation, as auxiliary institutions of the International Co-operative Alliance — the International Wholesale Co-operative Warehouse, the International Co-operative Banking Committee, the International Women's Co-operative Guild, the International Study Committee of Co-operative and Workers' Insurance Societies, and the International Co-operative Summer School.

The number of these centres which have been led, either from their origin or through an extension of their scope,



towards researches which transcend national frontiers is in keeping with the growth of international life to be found in all departments. In the case of the co-operative movement, however, this development is also a sign that the movement has reached a stage in its development where the necessity becomes more and more apparent for methodical research on the basis of the results of the experience acquired in every country and in every variety of co-operative institution.

But, though this increase in the number of international co-operative study centres is a welcome symptom of growth, and though each of these centres has a definite object or purpose in view, it is a question whether they would not be more efficient if closer and more regular relations were established between them. It would appear that it would be desirable to attempt to find how, having due regard to the complete autonomy of the different study centres, relations might be opened which would ensure each centre having the full collaboration of the others in its own particular lines of research. Here again the need of more systematic relations and concentration of effort is felt. Naturally, the Office would help in this direction in every way in its power. The International Economic Conference, in which a number co-operators will take part, will furnish an opportunity of strengthening the ties binding the Office to the great co-operative movement. It is unnecessary to refer again to the origin of this connection. The co-operative organisations have announced their full and entire acceptance of the principles contained in the Labour Charter, and it would be impossible for the Office on its side not to recognise the material and moral benefits which the workers in the towns and in the country derive from co-operative institutions.

104. — Such, then, are the Office's contacts and relations with the more important movements of public opinion, the different interests and associations of all

kinds which may be directly or indirectly affected by its work. Perhaps the short notes which have been given will suggest to the reader that a good deal of care, vigilance, ingenuity, tenacity and faith are required to overcome opposition, win sympathy and bring about effective co-operation. Only those who have to do publicity work can appreciate at its proper value the Office's immense undertaking in this field. The fact that it has been well carried on is due to the enthusiasm and devotion with which the Office's officials work, officials who are drawn from all quarters and hold political or philosophical views which are sometimes opposed but who all share the same hopes for peace and justice. These are the qualities which the Director endeavours to foster in them, while leaving them as much liberty and responsibility as possible.

It has, at times, been felt that the Office perhaps spends too much energy, too much of its resources, on developing its external relations. When requests have been made for increased staff for the Office's administrative or research work, it has been suggested that transfers should be made from the staff which deals specially with relations. This suggestion, however, has not been approved by the Governing Body, much to the Office's satisfaction. The principles formulated in the Treaty of Peace may express the aspirations and needs of all mankind, but these needs must be consciously realised before the machinery of international life can be created and developed. Whatever attraction ideas may have in themselves, whatever truth may be in them, they do not automatically work their way through the world. They have to be brought to notice and spread by a methodical effort of will. They cannot be sown haphazard or left to the winds to blow them where they may. They can only take root and grow if they are planted with meticulous care in suitable and selected ground. Vague publicity is fruitless; the desired results can only be obtained by creating and fostering regular relations.

## SECOND SECTION.

### Examination of Results.

105. — The subject to be dealt with here is the results obtained during the past year, and the progress made in international labour legislation. However solid the foundations on which the Organisation is built, however careful and judicious the Office's research work and investigations, and however numerous its external relations, it is the results it obtains which are the measure of the Office's success.

This year the plan has been adopted of combining in the same Section the examination of the general results (number of ratifications secured and measures taken to give effect to Recommendations, etc.), which was previously dealt with in Chapter II of the 1st Section, and the consideration of the particular social reforms which have been effected or are in process of being effected in the individual countries, which last year formed the sole subject-matter of the 2nd Section. With the new method the Office's work can be surveyed simultaneously in its two aspects. On the one hand, it will be possible to judge the extent to which the structure of international labour legislation which the Office endeavours to build up has grown, to measure how far the International Labour Organisation is a real force in the world, and to form some idea of the authority and influence which it exercises. On the other hand, it will be possible to bring out in connection with the different topics of international labour legislation how national movements or new ideas or events are contributing to promote and stimulate international action, how international action reacts on such phenomena, and how far the workers of all countries and of all classes can enjoy some of the benefits which the Treaty of Peace has promised them.

As a matter of fact, in despite of the Office's perseverance and ingenuity, the success of its efforts depends to a large extent on circumstances beyond its control, i.e. economic and political circumstances. If the work of the International Labour Organisation is to be judged fairly and accurately it is important that

an endeavour should be made each year to understand these external circumstances.

To take economic circumstances first. As was shown in last year's Report, economic and social problems are becoming more and more bound up together. No doubt it would be wrong and contrary to the whole outlook of the Treaty of Peace to treat the effect to be given to the just claims of the workers as dependent on fluctuations in the prosperity of industry. The Office has consistently disputed this view which is constantly being held up against it. The ratification of Conventions can never be made conditional on the volume of industrial activity. When a State, for example, undertakes to keep in force without modification for ten years the protective measures laid down in an international Convention, this surely is a proof that such a State has placed the particular social reform in question above and beyond the reach of vicissitudes in trade. On the other hand, it is no less true that economic development stimulates or saps enthusiasm for social reform, and that the different States hesitate more or less to enter into international engagements according as business is in a good or bad position and the future promising or otherwise. At the time of the 1920 boom everything seemed "plain sailing" for the ratification of the Washington Conventions, but since the crisis in 1921 the world has become aware of the chaos in which the war left it. In fact, as has often been pointed out, it was almost a paradox to endeavour to establish an institution like the International Labour Organisation in a world which was so disorganised. During the last year or two, however, it has seemed possible to discern a gradual return to stability and normal conditions. An endeavour will be made to show in the following paragraphs what was the contribution of 1926 in this direction.

106. *Economic development in 1926.* — It is not easy to express in any brief formula the outstanding features of the economic development during any particular year. Sudden changes in the situation sometimes occur which can hardly be accurately appreciated at the moment,



and at other times there seem to be contradictions between the considered measures taken for economic reconstruction and the first effects produced by such action. The fact is that the world has not yet emerged from the overwhelming economic disturbances in which the war plunged it. Eight years after its conclusion the effects of the four years of this war are still visible in the disorganisation of world economic conditions: this is the great lesson which modern history will bequeath to the generations to come. Nevertheless, the work of restoration is being continued, and as the Conference approaches each year an endeavour is made here to indicate the stages through which this work is passing.

The year 1926, which was not free from extremely serious economic disturbances, none the less made a fresh step forward towards restoration. In fact, it did more than this. It would be an inadequate description of the events which have been taking place and would show failure to understand their real significance if the only conclusion which was formed from the advance made towards more stable conditions were that a "restoration" was taking place, that the world was simply returning to pre-war economic conditions. The crises through which all nations have passed during and since the years of the war, and especially during the post-war years, have effected an extraordinary change in outlook. The events which have taken place have given birth to new ideas which have had to be accepted by Governments and public opinion. Owing in part to the ceaseless activity of the international institutions created by the Treaty which ended the war, new methods of international co-operation, still perhaps in indefinite and sometimes fragmentary shape, have taken the place in different departments of life of the old methods of national individualism: and certain measures for mutual assistance have run their course with satisfactory effects. In other cases effectual action has been taken to shelter modern industrial economy from the ravages of its cyclical fluctuations, and new relations of collaboration are being gradually established between the more important factors in national and economic life. To leave in the shade the results obtained in these different directions would not be to pass a fair judgment on economic development in 1926.

In spite of persistent difficulties and certain disturbances, it must be considered that fresh progress was made during 1926 in currency reform. Reference was made in previous Reports to the various improvements effected in Central and Eastern Europe since the action taken in 1922 on behalf of Austria by the League of Nations — improvements in the way of stabilising at critical moments currencies which seemed bound to collapse completely. In particular, reference was made to the inter-

vention of the League of Nations for the financial and currency restoration of Hungary in 1924. On the credit side of 1926 must now be entered the decisive fact that the intervention of the League of Nations in these two cases has borne full fruit, and that on 30 June 1926 the General Commissioners of the League of Nations at Vienna and Budapest left their posts, their work having been completed.

The 1925 Report emphasised the effects which these instances of international assistance produced throughout the whole of Central Europe. It was pointed out, for example, that in less than two years a number of countries in which there had been the most acute depreciation had been able almost before any other countries in the world to re-stabilise their currencies. As was indicated last year, however, there was one exception—Poland. During a part of 1926 the zloty continued to depreciate in spite of certain fluctuations, but since the middle of the year it would seem that a *de facto* stabilisation has been achieved.

The most important fresh event in this connection during 1925 was the return to the pre-war gold parity basis in a number of countries where the currency had depreciated to a relatively small extent, from 10 to 20 or 25 points. On 28 April 1925 legal stabilisation on this basis was effected in London, and at about the same time similar action was taken in the Dominions. In the Netherlands and Switzerland the florin and franc respectively returned to par. The only fact for 1926 which need be mentioned in connection with these particular countries is, and it is important, that the stabilisation which was achieved was not in any way shaken, even in Great Britain during the long period in which the country was in the throes of the miners' strike and in spite of the considerable falling off in international trade which the strike caused.

In another group of countries, however, 1926 is more interesting still. It may almost be said that the event referred to is really an economic curiosity, viz. the revaluation of the Norwegian crown and the Danish crown. The Norwegian crown had fallen to 47.8 per cent of its gold value (25 July 1924) and the Danish crown to 39.4 per cent (25 August 1924). Depreciations to this extent seemed bound to preclude any possibility of a return to gold parity<sup>1</sup>. A scheme for securing the revaluation by stabilisation by stages was prepared in Denmark, but the Danish crown, skipping the different stages and, no doubt owing to speculation, rising at a rate in excess of the Government's plans, returned to par on 31 December 1926. At that date the Norwegian crown already

<sup>1</sup> See in this connection *Memorandum of the World's Monetary Problems*, by Professor Cassel (International Financial Conference, 1920, Report No. 13, pp. 20 and seq.).



had a gold value of 94.3 per cent. These sudden recoveries were naturally bound to have certain consequences on general economic conditions in both these countries, and reference will shortly be made to these effects, but for the moment the important thing is to note the phenomenon, which is really extraordinary.

In another group of countries, again, the economic importance of 1926 lies in movements in quite the opposite direction, i.e. in France, Belgium and Italy. The currencies in these three countries were in a very low position in the middle of 1926, the situation being the worst in France. On 30 December 1925 the French franc had a gold value of 19.55 centimes, a figure which fell to 10.8 by 20 July 1926. At the end of December 1925 the lira was worth 20.87 centimes: it fell by 28 July to 16.54. In Belgium the currency was stabilised in the last months of 1925, but the stabilisation was upset by a new crisis, and the franc, stabilised at 23.47 gold centimes, was only worth 10.90 on 31 July 1926. Soon after, systematic action in the three countries caused an appreciation in the value of the national currency: Belgium effected a new stabilisation with special safeguards on the basis of a gold value of 14.40 centimes for a franc, while the French franc at the end of the year had risen to 20.50 gold centimes and the Italian lira to 23.30.

In previous Reports some indications were given of the means by which exchange disturbances re-act on international competition. It is not intended to refer to this topic any further here or to quote in support of the considerations previously put forward the new figures which might be used for 1926<sup>1</sup>. It was noted how the movements of economic activity, especially the extent of unemployment, are affected by fluctuations in exchanges. In 1926, for example, during the two periods to which reference has already been made, it is clear from the unemployment statistics for France, Italy and Belgium, and particularly for France where the contrasts are most marked, that there has been a parallel development. During the first part of the year unemployment was practically non-existent in France, while by the end of the year it had assumed considerable proportions. In Denmark and Norway, again, the sudden recovery of the currency was accompanied by acute unemployment. In Norway the percentage of unemployed (among trade unionists) in July 1924 was 3.9 %, in June 1925

when the process of revaluation had begun it was 8.9 %, and in June 1926 it rose to 22.1 %. Unemployment among trade unionists in Denmark for the same periods was 5.4 % in 1924, 9 % in 1925 and 15.8 % in 1926.

Manifestations of the same phenomenon were to be found in the complaints made by countries with a good exchange of increased competition against them by countries with depreciated exchanges, e.g. when England complained of dumping by competing industries in France, Belgium or Italy, especially in textiles, or when the Netherlands had to record an exodus of employers and workers to Belgium. At the end of 1926 a change in this respect was produced by the improvement in the exchanges in the Latin countries, and British economic circles see in the new conditions the disappearance or at least some mitigation of their difficulties.

Among the immediate consequences of these exchange recoveries industrial disputes must be mentioned in connection with unemployment. Manufacturers have been tending to defend themselves against the rise in the gold value prices of labour, i.e. its prices on the international market, by reductions in nominal wages. On the other hand, the cost of living does not generally fall, at least at the beginning of the period of recovery, to the same extent as the gold value of wages rises, and hence a conflict of interests which may lead to strikes and lock-outs. The strike in the Norwegian paper industry, for example, which lasted from 13 August 1926 to the first days of October and affected 12,700 workers, arose out of a proposed reduction of wages by about 27 % which had been rejected by the workers<sup>1</sup>. A few months earlier employers in most Norwegian industries had declared a lock-out which lasted six weeks (from 24 April to 10 June)<sup>2</sup>.

In spite of these disturbances, which of course varied with the different stages of stabilisation and revaluation, currency reform during 1926 had a really beneficial effect on the economic recovery of the countries concerned and on general world economic reconstruction. The re-establishment of the currency was shortly followed in the different countries by restoration of credit. In Germany the official discount rate had been as high as 90 % immediately before the stabilisation: in 1924 the average rate was 10 %, and 9.15 % in 1925: by 12 January 1926 it had fallen to 8 %, by 27 March to 7 %, by 7 June to 6.5 %, by 7 July to 6 % and by 11 January 1927 to 5 %. In Austria the rates were in 1924 11.57 % on the average, in 1925 10.86 %, in March 1926 7.50 %, in August 1926 7 %, at the end of January 1927 6.5 % and on 5 February 1927 6 %. In France the

<sup>1</sup> One of the memoranda submitted to the International Economic Conference by the International Labour Office, i. e. a report on *The Standard of Living of Workers in Various Countries*, contains a considerable amount of information in this connection, illustrated by graphs which bring out very clearly the effects of fluctuations in the gold value of the different national currencies on the cost price of labour in the different countries.

<sup>1</sup> *Farmand*, No. 33, 1926.

<sup>2</sup> *Arbejderen. Meddelelsesblad for de samvirkende Fagforbund i Danmark*. Copenhagen, 8 May and 19 June 1926.



official rate fell from  $7\frac{1}{2}\%$  on 30 July 1926 to  $6\frac{1}{2}\%$  on 16 December and  $5\frac{1}{2}\%$  on 3 February 1927.

These figures show that savings are once more being accumulated, a fact which, moreover, is directly recorded in savings banks statistics. Deposits in German savings banks amounted to 1,629 million marks at the end of 1925. At the end of 1926 the figure was 3,091 millions. In Austria the figures rose from 270 in 1925 to 418 million schillings in 1926, and in Hungary the amount in post office savings banks rose from 121 to 196 milliard crowns.

Along with the restoration of credit inside the different countries must also be mentioned the improvement in their external credit. Here again this improvement owes its origin to the intervention of the League of Nations. The private credit of the States whose currency was to be stabilised was not sufficient; it had to have some effectual backing by different Powers, as in the case of Austria, or the moral support of the League of Nations, as in the case of Hungary. Similarly, an international guarantee was necessary to ensure for Germany the success of the Dawes Plan loan. Since then, however, the finances of these different countries have been put on a sound basis, and their external borrowing capacity has been recovered at the same time. As examples of the improvement in the credit of these countries on the international financial market may be mentioned the rises in the quotations for the Austrian Reconstruction Loan. The rise for the American portion was from 90 to 101.5, the quotation for 31 October 1926, for the English portion from 80 to 102, for the Dutch portion from 80 to 106 and for the Swiss portion from 80 to 101, etc. Again, as indicating the re-establishment of international credit relations reference may be made to the different loans issued in 1926 in the financial centres of the world by Governments, railway companies, and different general or special public bodies in Belgium, Esthonia, Finland, France, Germany, etc.

Another feature of the situation in 1926 is that, while in earlier years it had been chiefly Governments which succeeded in placing their loans abroad according as their financial position improved, in subsequent years private companies managed to raise an increasingly greater amount of external loans. Thus in 1922 loans of foreign Governments on the New York market amounted to 515 million dollars, while the loans of foreign private companies only amounted to 120 millions. In 1923 the figures for the loans of the two groups were respectively 213 and 93, and in 1924 705 and 295, but by 1925 there was little difference between the two figures—Governments 590 million dollars and private companies 493. In 1926 the amount of loans issued by private companies was greater than the amount

issued by Governments, the respective figures being 603 million dollars as against 542.

Thus the financial and currency improvement in the different States was accompanied by the re-establishment of their credit on the home market and the international financial market, and parallel with both developments there took place an improvement in the credit of private concerns in the different countries both on the home and the foreign markets. This shows how great a distance has been covered since the day when in response to Austria's signal of distress the League of Nations set itself to work and started throughout the whole of Central Europe a big movement for financial, monetary, economic and credit restoration.

In the new conditions created by the improvement in the exchange situation the finances of most of the States have been gradually put on a sound basis. The fact is that the different measures taken in the directions referred to are not only dependent on each other, but also interdependent and react on each other. Improvements in exchanges, return to sound finance, and the granting of credits are all bound up with one another. The credits which are provided abroad ensure a return to a sound financial position for a transitional period, just as projects for establishing financial equilibrium make it possible to secure external credits. Again, credits and financial equilibrium are a condition of currency reform, which in its turn is indispensable for obtaining credits and ensuring that financial equilibrium will last. In this sense the national and international measures which are taken should be considered as consolidating each other. If certain international measures have paved the way for an improvement in general conditions, this has only been possible through the action taken by the nations concerned themselves to put their financial house in order. The economic history of the last few years will be primarily the history of this twofold development. The first result obtained, after a transitional period in which equilibrium is secured by loans, is the establishment of real equilibrium. Among the countries which reached this stage in 1926 may be mentioned Poland, Hungary and France. This equilibrium was only effected in the beginning at the price of heavy fiscal sacrifices. But already the second stage, i.e. the stage in which some reduction in taxation may be contemplated, is being reached in the United States, Holland, the Kingdom of the Serbs, Croats and Slovenes, and even in Germany.

In the efforts made to secure a return to more stable currency and financial conditions, an object which has been constantly pursued in spite of the difficulties encountered, a considerable part, which will no doubt be more considerable



still, has been played by a new factor — co-operation between the central banks in the different countries or in a certain number of them. A recommendation in favour of such co-operation was made as early as 1922 at the Genoa Conference, which formed a project for an international conference of central banks. For some time the political situation in Europe and the exchange crisis seemed to suggest that the time was not ripe for such a step. The same end has, however, been in process of being attained by other means. In 1925 an agreement was concluded between the Bank of England on the one hand and the New York Federal Reserve Bank and the Bank of J. P. Morgan & Co. on the other hand, the effect of which was that the stabilisation of the £ was carried out with absolute safety by the opening of a reserve credit of 300 million dollars with the Bank of England. In October 1926 the same method was adopted for guaranteeing the success of the stabilisation of the Belgian currency after the set-back in the beginning of the year: while a 100 million dollar loan was issued in the United States, England, Holland, Sweden and Switzerland, an agreement was concluded between the central issuing establishments in England, France, the United States, Japan, Sweden, Holland and Hungary for the purpose of constituting in favour of Belgium a considerable reserve of credits in foreign currencies on which Belgium could draw when necessary. The Netherlands Bank was selected by the consortium to act in its name in case of crisis or any danger of a crisis. Somewhat similar agreements were concluded in 1926 between the German Reichsbank and the central banks in Austria, Czechoslovakia, Hungary and Switzerland by which transfer relations on the basis of the actual rates of their exchanges at the moment were established between these countries. The effect of this development is enhanced by the novel character of the credits policy which has been practised systematically and with indisputable results by the most powerful of the issuing institutions in the world, the American group of Federal Reserve Banks. This group regards it as one of its primary tasks to adjust credits to the proper requirements of the general situation, the object in view being both to prevent the occurrence of any such speculative movements as must lead to a crisis and to counteract any danger of depression by opening credits at a suitable moment. There is no need to emphasise the part which co-operation between the central banks in the different countries can play in systematic action for regularising international economic activities.

The results achieved in currency reform have had their effect on trade relations between State and State. These effects have been primarily in the direction of accentuating rivalries and have thus fos-

tered the development of a protectionist policy. Countries which have stabilised their currencies endeavour to safeguard their position against further fluctuations by improving their trade balance: hence a tendency to restrict imports and stimulate exports. They endeavour to secure this result by raising their customs duties and by putting bounties or other privileges on export. This policy is also fostered by the exchange dumping which is practised at the same time by countries with depreciated currencies. In these latter countries there is also to be noted a tendency to increase custom duties, which in the particular circumstances is based on the necessity of readjusting duties to the actual level of prices. Again, countries with depreciating currencies are induced to impose export duties for the purpose of preventing sales abroad at low prices and the slow process of the "loss of substance". All these phenomena have appeared under pressure of circumstances in most countries, the currency factors having only added to the effect of other wellknown factors, such as the tendency of new States to establish in their countries such industries as are necessary to make them independent, the tendency of industries which were artificially created during the extraordinary circumstances of the war period to maintain themselves at any cost in the new conditions of more normal economic relations between country and country, the endeavours made in all countries to secure the home market as far as possible because of the increasing difficulties of export, and the need of the States to increase their resources in order to balance their budgets and consolidate their financial position, etc.

But financial stabilisation has also had another effect in the opposite direction: it has provided a basis for the return to a policy of stable economic agreements between country and country. The movement began slowly in 1924, increased a little in 1925, but grew to large proportions in 1926. Germany, for example, proud of having recovered its freedom of action in its own customs policy on 10 January 1925 and of its new customs tariff, signed agreements with Honduras on 4 March 1926, with Denmark on 20 March, with Spain on 7 May, Sweden on 14 May, Finland on 26 June, Latvia on 28 August, Switzerland on 14 July 1926 and 1 January 1927, Austria on 24 July and with France on 6 August 1926. The agreement with France is only of a provisional character, but it lays the foundation for normal economic relations. One fact to note in connection with it is that this agreement introduces a new principle which may have a much more extended scope, i.e. that the level of the protective duties may be altered in accordance with the price index. The example of Germany is being followed by the



rest of Central Europe, the economic existence of which has been cut up into different compartments by the political rearrangement of Europe : it tends to develop in the direction of a system of collaboration through the extended adoption of inter-State agreements. Austria, for instance, concluded agreements with Hungary on 27 February and 6 April 1926, with Czechoslovakia on 23 June, and with Germany on 24 July. The Kingdom of the Serbs, Croats and Slovenes and Hungary, again, signed an agreement on 24 July, and Poland and Czechoslovakia on 6 November. Further, on 5 February 1927 Estonia and Latvia signed an economic convention which provides for the creation of a mixed commission for the purpose not only of regulating customs policy in the two countries on the same footing but also for establishing between them the same fiscal legislation for indirect taxes and monopolies and the same scale of transport rates.

In these matters, then, it is clear that there were two tendencies at work during the year under review — a tendency to protectionism and economic friction and at the same time a tendency to *rapprochement* and agreement. These two tendencies were adjusted in actual fact by conventions providing for high tariffs, but this at least introduced an element of stability into economic conditions, and new possibilities for the future are surely implied in this atmosphere of long-term agreements.

In this connection there is perhaps reason for placing hopes in the development of direct agreements between industrial organisations in different countries. This development is one of the most important events of 1926. As is well known, there had been a considerable number of international agreements between industrial groups before the war. In 1912 there were more than 100 such agreements.<sup>1</sup> But the war broke up all this organisation and it was some time after peace had been established before efforts were made to recreate it. The way was prepared by the extension of cartels in the different countries, and the new political atmosphere of the last few years created by the London agreement of August 1924 and the Locarno agreements of October 1925 were favourable to further developments. It may perhaps not unreasonably be thought that the economic *rapprochement* and the political *rapprochement* reacted favourably on each other.

A few isolated facts might be mentioned for 1924 and 1925. In August 1924, for example, the first agreement on potash was concluded between the groups concerned in Germany and France. A

few other agreements were signed in 1925 but 1926 witnessed a very extensive development which affected all kinds of industries. Twenty international agreements were concluded in this year. Out of these international agreements six cover only 2 countries, four cover 3 countries, four cover 4 countries, three cover 5 countries, one 8 countries, one 13 countries, and one 18 countries.

A very important fact to be noted in this connection is that the agreements in question are apart from a few exceptions (4 out of 20) agreements between European countries. In the great majority it is the same industries in different European countries which are looking beyond their national frontiers and forming themselves into groups on the basis of mutual agreements for the purpose of meeting the difficulties with which they all have to cope and which are primarily difficulties of markets. Competing industries which are suffering from the economic depression or the danger of depression and are disturbed in their regular working by fluctuations in demand are endeavouring by combining to regularise their sales, prices and production. In other cases a new tendency is to be noted, viz. a desire to secure for industry better conditions in which to carry on by an allotment of special commodities and markets, by standardising certain forms of manufacture, in short, by "rationalising" industry.

Such are the chief outstanding features of economic development in 1926 — continued currency reform with here and there sudden setbacks, a general tendency to a return to sound financial conditions, a return to or development of home and foreign credit relations, fluctuations, sometimes considerable, in the conditions of cost prices in the different countries accompanied by a more or less uniform level of cost prices in countries which have returned to a gold basis currency, accentuation of commercial rivalries between country and country, aggravation of the tendencies to protectionism accompanied at the same time by a return to the policy of long-term economic agreements, the conclusion of important commercial treaties and the conclusion of industrial agreements.

How far have these different developments affected the more important branches of production and trade, and what have been their effects on economic conditions in the different countries? There can be no question here of endeavouring to define the precise effect of the different factors to which reference has been made. As has already been seen, they react upon each other and they all have a part in producing the general results to be noted. Perhaps if — but this was impossible — careful and detailed investigations were undertaken there would be some chance of apportioning the particular effect of some of these factors, but

<sup>1</sup> Bernhard HARMS: *Volkswirtschaft und Weltwirtschaft*. Jena, 1920, pp. 250-281.



only a summarised survey and general notes can be given here.

The total figures for certain important forms of production show on the whole a further progress over previous years. The day is long past when the world was suffering from shortages. However, if regard is had to agricultural food products, there has on the whole been a falling off in comparison with 1925, though the difference is not very great and there has still been an increase over 1924. For a total of 42 countries the production of corn (wheat and rye included) decreased from 1,066 million metric quintals in 1925 to 1,007 millions in 1926, the figure for 1924 having been 915 millions. For barley (39 countries) the corresponding figures are in 1924 228 million quintals, 274 millions in 1925, and 257 millions in 1926; for oats (36 countries) 518 millions in 1924, 554 millions in 1925, and 525 millions in 1926; for maize (19 countries) 765 millions in 1924, 918 millions in 1925 and in 1926 859 millions.

For the production of sugar the world figures for 1926-1927 also show a decrease in comparison with 1925-1926, though the decrease is small. For cane sugar the decrease is from 16,362,000 to 16,054,000 tons; for beet sugar from 8,405,000 to 8,341,000 tons, and for the total production (cane and beet sugar) from 24,767,000 to 24,395,000 tons.

The position is different with cotton, for which the figure was 28,863,000 bales of 500 lbs. each, and in 1926-1927 the figure was about 30,000,000 bales. It is not without interest to point out that this latter figure is a record in the history of cotton, and that in comparison with the year 1921-1922 (a year it is true in which there was systematic restriction) the increase is very considerable, the figure for that period being 16,918,000 bales. The figure for the last year before the war (24,120,000 bales) has been much exceeded.

The chief mineral industries — except one, the coal industry — show bigger figures. For oil the production had been 144,300,000 tons in 1925, but rose to 147,100,000 tons in 1926. Since 1913 the world's production of oil has almost trebled, the figure for 1913 being 52,900,000 tons. The increase of 1926 over 1925 is almost exclusively due to the European output, which rose from 10,500,000 to 12,700,000 tons, thus slightly exceeding the pre-war figure of 12,300,000 tons. For copper the figures for the last three years are as follows: 1924, 1,370,040, 1925, 1,440,168, 1926, 1,499,016 tons. The increase for 1925 over 1924 was 4.4 % and for 1926 over 1925 4.1 %. For lead the figures for the three years are — 1924, 1,093,464, 1925, 1,232,424, and in 1926, 1,327,356 tons. The increase of 1925 over 1924 was 12.7 % and for 1926 over 1925 7.7 %. For zinc the corresponding figures are — in 1924, 1,004,564,

in 1925 1,130,472 and in 1926 1,245,456 tons. The increase during 1925 over 1924 was 12.5 % and for 1926 over 1925 10.2 %.

There was a very small decrease in the world's output of coal — 1,176 millions tons as against 1,186.9 millions in 1925 (less than 1 %). This decrease no doubt has some connection with the English stoppage. It should be noted, however, that in consequence of the crisis on the market for this product the figures of the world's output of coal have been continually falling since 1923 — in 1923, 1,199.1 millions tons, in 1924 1,188.2 million tons (i.e. a decrease of .9 %), and in 1925 1,186.9 million tons (i.e. a decrease of .1 % on 1924).

In the output of cast iron there has been the following increase during 1926 over 1925 for the total output of the twelve chief producing countries — in 1925 75,860 million metric tons and in 1926 77,893 millions (an increase of 2.7 %).

There has been a considerable decrease in shipbuilding during 1926 as compared with 1925. The world's output of new tonnage fell from 2,193,404 tons to 1,674,977 tons.

The figures relating to coal output and production in the iron and steel industries are very suggestive when they are considered in their constituent elements for the different countries. They bring out very clearly the capacity of modern industrial production to adapt itself to circumstances. The normal distribution of coal output between the different countries as shown by the figures for 1925 is as follows:

United States	530,886,000 tons, i. e.	44.7 %
United Kingdom	246,148,000 » »	20.7 %
Germany	132,728,000 » »	11.2 %
France	59,901,000 » »	5.1 %
Poland	29,052,000 » »	2.4 %
Belgium	23,133,000 » »	1.9 %
Czechoslovakia	12,753,000 » »	1.1 %

At that time, then, the output of England was approximately a fifth of the total. The effect of the stoppage, which lasted roughly seven months, was that England's output decreased by about half (by 48.2 %), i.e. from 246,148,000 to 127,567,000 tons. The greater part of this deficit was made up by an increase in the output of the other countries. The output in the United States increased by 71,491,000 tons, i.e. 13.5 per cent, the output in Germany by 12,634,000 tons, i.e. 9.5 per cent, in Poland by 6,703,000 tons, i.e. 23.1 per cent, in France by 5,951,000 tons or 9.9 per cent, in Belgium by 2,446,000 tons or 10.6 per cent, in Czechoslovakia by 1,756,000 tons or 13.8 per cent. Out of 118,581,000 tons lost by England 100,981,000 tons were made up by the above group of countries.

The proportion of England's output of iron and steel to the world output is much lower than in the case of coal. In 1925 her output of cast iron was 6,336,500 metric tons or 8.4 per cent of the total



output. In 1926, owing to the miners' strike, her output fell by 3,900,000 tons or 61 per cent. Not only has this deficit been made good by other countries but, as has been seen, there has been a total net increase of 2,033,000 tons or about 3 per cent.

It is hardly possible to deal with economic development in 1926 without giving some indications on the English miners' stoppage and its consequences. The number of workers involved in the general strike at the beginning and in the miners' stoppage has been computed to be 2,748,000 and the total number of working days lost to be 163 millions. Out of these figures the miners account for 1,050,000 workers and 146 million working days<sup>1</sup>. During the seven months from May to November the figure for unemployment (not including strikers) was 14.7 per cent (as against a probable average of 9.5 per cent if the stoppage had not taken place). It is considered on the basis of the unemployment statistics that the total loss of production should not have exceeded 5 per cent if the production of coal is excluded and 10 per cent if it is included<sup>2</sup>. It may also be noted that in 1926 England's exports decreased in comparison with 1925 by £121,488,000 or 15.7 per cent, £38,811,000 of this being put down to coal, coke and manufactured fuel<sup>3</sup>. According to the Board of Trade the amount of English exports in bulk is calculated in 1926 to have been 67.8 per cent of the figure for 1919, the figure for 1925 being 76 per cent. In regard to re-exports the corresponding figures are 76 per cent in 1926 as against 87.8 per cent in 1925. The fall in railway receipts caused by the stoppage has been estimated at 27 million pounds or 14 per cent of the total. Shipbuilding was also affected by the stoppage, the figure of the new tonnage in merchant ships having fallen, chiefly owing to the stoppage, from 1,084,633 tons to 639,586 tons, i.e. a decrease of 445,065 tons or 41 per cent. Further effects of the stoppage were felt in the engineering trade, the paper industry, and the food and drink trades, the slump in the latter trades being due to the fact that the purchasing power of the population in the industrial centres had diminished.

Outside Great Britain the effects of the stoppage took two forms. In the first place, the position vacated by Great Britain on the international coal and iron market was filled, at least to a very large extent, by her competitors for whom the stoppage meant increased production. In the second place, Great Britain's purchasing power was diminished by the stoppage and so she was not so good a customer for other

countries, which in their turn were affected in their exporting and producing capacities. A striking instance of this is furnished by the complaints of Danish agriculturalists, whose butter exports were specially affected<sup>1</sup>.

Without going into any examination of the particular economic development in individual countries, attention may be drawn to the improvement in the position of the more important extra-European industrial countries during 1926, more especially the British Dominions and the United States. In the Dominions progress continued to be made in the manufacturing industries. But it was chiefly in the United States that, subject to fluctuations in a number of industries, more particularly towards the end of the year, there was a consistent increase in prosperity. The total volume of trade and industry during the year in the United States was about 5 per cent above the figure for 1925, which latter figure had been 6 per cent higher than the figure for the preceding year<sup>2</sup>. This increase, however, is not perhaps the most important fact to be emphasised. The real outstanding fact for 1926 is that during that year increased prosperity coincided with a tendency to lower prices. Generally speaking, it may be said that for the last year or two there have been no considerable fluctuations in prices, and that there has been a general tendency to stability, no doubt largely due to the effect of the credit policy of the Federal Reserve Banks and perhaps also to the public works policy. If the tendency to a slight reduction in prices continued and the economic improvement of the last few years were not checked, the fact referred to would have to be regarded as constituting a novel economic situation of considerable effect.

In Europe the position varies from country to country. The figures of foreign trade, like the figures for unemployment, are very instructive. In some exceptional cases there was an increase in foreign trade during 1926 over 1925. This phenomenon is to be noted for a number of agricultural countries — Hungary, Poland, Roumania. But in many other instances there has been a shrinkage in the volume of foreign trade, i.e. in the total imports and exports, a shrinkage in which may be seen at least in part one of the effects of the strengthening of customs barriers. This is noticeable in the case of Austria, Czechoslovakia, Denmark, Germany, Great Britain, Norway and Sweden (as regards Great Britain, of course, the dominating effect of the miners' strike must be borne in mind).

<sup>1</sup> *Ministry of Labour Gazette*, January 1927.

<sup>2</sup> *Manchester Guardian Commercial*, 27 January 1927.

<sup>3</sup> A portion of the rest of the decrease was due to the lower prices in 1926.

<sup>1</sup> *Times Trade and Engineering Supplement*, 4 October 1926.

<sup>2</sup> *Monthly Review of Credit and Business Conditions*—Second Federal Reserve District. Federal Reserve Bank, New York. 1 December 1926.



The foreign trade figures for France and the Belgian-Luxemburg Union rose, but it is impossible to draw any positive conclusion from them on account of the fluctuations in the rate of exchange. In Sweden and in the Netherlands the position was practically stationary.

The unemployment figures reveal the same difficulties and the same awkward depression in the different countries. There is no need to refer further to what has already been said of the different developments observed in Italy, Belgium and France, or of the considerable growth of unemployment in Norway, Denmark and the United Kingdom. For the United States the statistics of employment of manufacturing industries show considerable stability during the last two years with a tendency to improve in 1926. In Canada and Australia unemployment has on the whole diminished to a certain extent in spite of seasonal fluctuations. In Austria, Czechoslovakia, Germany and Poland, however, the figures for 1926 show a considerable increase in the number of unemployed on the figures for the preceding year.

Thus in many directions there are many signs of embarrassment and difficulty in the economic life of Europe, difficulties which have arisen, in spite of the considerable efforts made to improve financial and exchange conditions, by reason of the re-adjustment which has been necessary or by the direct effect of disturbing causes. These difficulties cannot but be taken account of by the men in the different countries who are responsible for the conduct of public affairs, and they have been the reason for the International Economic Conference being convened by the Assembly of the League of Nations.

There is no doubt but that at the present time the world needs very badly to change the present policy of conflicting individualism for a real endeavour to co-ordinate its activities internationally. The contrast between the condition of Europe and that of certain important extra-European countries, especially the United States, is being brought home to many minds. Of course, it is not forgotten that the effects of the war are largely responsible for this contrast. At the same time, there is no overlooking the fact that in the economic life of this old continent the expansion of production is checked by too many economic barriers. This is the idea which is at the basis of the economic agreements which have been concluded between State and State and the international industrial agreements which have been entered into by different private groups.

The idea has found expression on all sides. In Germany recommendations have been made in favour of fixing a maximum customs duty limit, and the German Minister of National Economy expressed himself in favour of this idea at the German

Wholesale Commerce Congress held at Düsseldorf in September 1926. More noteworthy still, however, is the fact that the International Chamber of Commerce has appointed a committee on the obstacles to international trade which held its first sittings on 22 and 23 June 1926. Later the International Chamber of Commerce adopted a resolution on 18 October advocating the abolition of export duties and more particularly those which would have the effect of giving preferential treatment to certain countries which are consumers of raw materials. Again, an international manifesto was issued during the year by a number of business men, employers and bankers which affirms that restriction of imports implies restriction of exports, and if the dealings of debtor nations are checked, their possibilities of paying their debts are diminished. Further, in expressing his opinion on the manifesto, Mr. Mellon, the American Secretary of the Treasury, pointed out that unless a homogeneous commercial zone is created the industrial power of the United States would be condemned to disappear. Lastly, the American Bankers' Association carried the idea further in a report issued in October 1926 in which the Association expressed the view that the abolition of all unreasonable and unnecessary customs barriers should be the object of the cooperation of all countries including the United States.

107. — The movement of ideas and the corresponding movement of events which have been described above give special importance to the Conference to be held on 4 May. No doubt it has already been decided that, like the Brussels Financial Conference, the Economic Conference will not attempt to adopt any international Draft Conventions. The Conference will be composed of delegates who will vote individually according to their own views and will formulate recommendations of a very general character. But, at any rate, it will tackle squarely and in an international spirit the fundamental problems of economic reconstruction. There is no need to emphasise further the extent to which the solution of these problems affects the work of the Organisation. There are, however, two problems in particular which the Conference will, so to speak, find cropping up in all the departments of its work and which are the real basis of the Office's activities — firstly, the question of stabilising the employment of the workers, i.e. the prevention of unemployment, and, secondly, the raising of their standard of living. Generally speaking, if the Economic Conference by its suggestions helps to increase both the consuming power of the masses and the productive power of industry, it will make the most effective contribution towards the establishment of social justice.



108. — Meanwhile, with an optimism which nothing can discourage, the Office must carry on in the midst of the uncertainties of the present time. Economic prosperity alone, even when re-established and stabilised by systematic action, will not suffice to bring justice automatically into being. Here, as in everything else, man, according to the famous saying, is the measure of all things. In the last resort the success of the Office's work will depend on human beings living in organised societies and on the conception of and will towards justice by which they are influenced.

It has often been a fashion during the last few years to distinguish between the economic and the political in social life. As a matter of fact, however, the economic must always resolve itself into the political. Political factors have a much more immediate influence than the economic factors by which they are more or less directly affected in determining the pace and volume of the results of the Office's work. The above sketch of the economic development in 1926 should, no doubt, be completed by an accurate analysis of the political movement during the same year, but the Office may be excused for not yet making any such attempt. Not that the Office refrains from doing so because it would be compelled to judge the decisions of sovereign States from its own point of view, but because perhaps it would be rather a delicate matter to endeavour to form an appreciation of the social policy of the different countries.

Hopes that the Office might sometimes have entertained as the result of a decision of a Labour or Socialist Government to bring or defend Conventions before Parliament have been disappointed by a political crisis and by the advent to power of a Conservative Government; but such to-day is the intensity of the movement towards social justice that Conservative Governments, perhaps by less direct methods, carry through the ratifications for which the Office looks just as effectually as any others. In the conflicts which at present are taking place beneath the surface in political communities and in the clash between the ideas of government authority and democratic liberty, it would be difficult to affirm, at least judging by mere arithmetical results, that one particular form of government, whether democratic or of a more arbitrary type, has done more than another for putting social reforms into operation. The fact is that throughout the whole world, and even within the narrower limits of its constituent continents, international life is still in an embryonic stage and international movements are still uncertain and desultory. At one time it seemed that the international workers' movement was bound to grow and consolidate in such a way as to

influence the development of social legislation. It even seemed that there would be a similar advance in the movement for the organisation of employers. As a matter of fact, however, owing to the divisions which have torn it and to the effects of industrial crises, this latter movement has not spread as was expected. The urgent necessities of daily life in the different States have caused here and there a return to policies of national isolation. Even the idea of the League of Nations has not, it would appear, produced during the last few years any such unity of tendency or at least any such common outlook as might have changed and guided the policies of the different States in other directions. Perhaps in the long run the continuity of the Office's work will end by impressing on social policy or on general policy this unity of conception which will produce more rapid and extensive results. At present the Office must carry on from day to day in the political circumstances of the time and endeavour to find in an empirical fashion the support or assistance which it needs.

109. — Making all allowance for circumstances, then, the general results for 1926 are summarised below in the usual way.

#### *Ratifications.*

	31 March 1926	1 April 1927
Ratifications communicated	194	229
» authorised	30	25
» recommended	128	147

From April 1926 to April 1927, then, there were only 35 new ratifications, as compared with 50 in the corresponding period for 1924-1925 and 48 in the period 1925-26. The conclusion might at first sight be drawn from the bare figures that such an appreciable drop in the number of ratifications deposited with the Secretary-General of the League of Nations implies that less interest is taken in the work of the Organisation by the States Members. It is necessary, however, to consider the figures as a whole in order to arrive at a proper appreciation of the general movement of ratifications. If formal ratifications arrive more slowly — as had, indeed, been expected — there is, on the other hand, an increase in the number of ratifications recommended by Governments for adoption by Parliament.

The reason for the comparatively low figure of ratifications obtained this year cannot be found in the economic conditions or political developments in the various countries. In point of fact, the situation in these respects appears to



have been improving. The effect of such circumstances would have been felt in any ease at every stage of the ratification procedure, but it is noticeable that there have been a larger number of proposals for ratification submitted by Governments to Parliament this year than in previous years. In the view of the Office, the explanation is much simpler. The present falling-off in the number of ratifications is due to the fact that there was a break in the adoption of Conventions by the Conference during three years. The slowing down in the registration of ratifications is, then, a normal accompaniment of the slowing down in the work of the Conference. It does not in any way mean an aggravation of the crisis in the different countries or a halt in the development of the Organisation.

The number of ratifications published in former Reports steadily increased from 1921 to 1925, because the Conference had, during the years 1919 to 1921, adopted a number of Conventions which were successively submitted to, discussed by, and adopted by the Parliaments. The procedure under Article 405 was slowly but surely carried on without a break, and more and more Bills for the ratification or application of Conventions were put before the Parliaments. In spite of the slowness of Parliamentary discussion, practically all these Bills were examined, and then approved, rejected, or postponed, so that, with few exceptions, the Conventions adopted by the first three Sessions of the Conference had by 1926 passed through the various stages of the procedure provided for in Article 405. Just at the moment when the Parliaments were to a large extent relieved of the work imposed by the first three Sessions of the Conference, no new Draft Convention was submitted to them. At its Sessions in 1922, 1923 and 1924, only Recommendations were adopted by the Conference, and it was not until 1925 that four new Conventions were adopted. In the meantime, however, the Draft Conventions adopted at the earlier sessions of the Conference had, if their ratification had not been postponed by the Parliaments, been ratified one after another, so that from 1925 onward the pace of ratification slackened. This slackening would have been still more noticeable in 1926 than has actually been the case if, out of the 35 ratifications shown in the table above, there were not nine ratifications of the Conventions adopted by the

1925 Conference. The Draft Conventions adopted in 1925 had actually begun to be submitted to Parliaments as early as the beginning of 1926, and, consequently, out of the 150 ratifications recommended up to 1 April 1927, 25 referred to Conventions adopted at the 1925 Session.

Herein lies the explanation both of the diminution in the number of formal ratifications registered and the increase in the number of ratifications recommended. Presumably, therefore, the setting to work of the procedure under Article 405 on the Conventions adopted at the 1925 Session will influence the number of ratifications communicated next year.

Admittedly there is much leeway to be made up with some of the unratified Conventions of Washington, Genoa and Geneva, and it is hoped that certain proposals for ratification which have been before some of the Parliaments for a number of years will at length be examined. There are also ratifications which have already been approved by Parliaments and which may be counted upon with certainty, since they will be communicated as soon as Bills have been adopted to bring national law into line with the provisions of the Conventions. Nevertheless, there is still much to be desired. Out of the 55 States Members of the International Labour Organisation there are not more than about 35 who have given real evidence of close cooperation in the work of the Office. At the present time there are still 14 States which have not yet sent in official information to the Office as to the measures taken under Article 405.<sup>1</sup> In regard to most of these States, in which industrial organisation is non-existent or only in an embryonic stage, it would be useless to expect protective legislation based on the Conventions to be introduced until a considerable number of years have elapsed.

110. — Some indication will be given later, in the special paragraphs devoted to the individual Conventions, of the progress achieved on each Convention during 1926. Meanwhile the usual tables are given below : they have been brought up to date and show the results obtained at the time of writing under the procedure laid down in Article 405.

<sup>1</sup> These States are the following : Abyssinia, Albania, Bolivia, Colombia, Dominican Republic, Guatemala, Haiti, Honduras, Liberia, Nicaragua, Panama, Peru, Persia and Salvador.



(A) FIRST SESSION (WASHINGTON, 29 October-29 November 1919).

Conventions.

I. Hours of Work.

\* = Information received since last report.

(a) Ratifications communicated and date of registration (para. 7).	(b) Decision of the "competent authority" (para. 7) and date of such decision.	(c) States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				(d) States which without an official intima- tion that they have submitted the Convention to the "compe- tent authority" have supplied information of other measures taken.	(e) States which have not officially communica- ted any information.
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
Austria (¹). 12- 6- 24. * Belgium. 6- 9- 26. Bulgaria. 14- 2- 22. Chili. 15- 9- 25. Czechoslo- vakia. 24- 8- 21. Greece. 19- 11- 20. India. 14- 7- 21. Italy (¹). 6- 10- 24. Latvia (¹). 15- 8- 25. Roumania. 13- 6- 21.	Approval :  Rejection : Switzerland. 1921.  Other decisions : (adjournment, etc.) : Canada. 28- 5- 21. Finland. 1922. Great Britain. 1- 7- 21. Hungary. 4- 3- 25. Norway. 27- 6- 25. Venezuela. 11- 7- 25.	Argentina. 17- 9- 20. Brazil. 1920. Denmark (²). 1926. Esthonia (¹). 26- 9- 24. France (¹). 31- 7- 24. Lithuania. Aug. 1922. * Paraguay 24- 5- 26. Poland (²). 26- 7- 21. Spain. 9- 7- 23. Uruguay. 11- 9- 25.	Irish Free State. 30- 4- 25. Nether- lands. 21- 7- 21.	Cuba. 11- 6- 23. Sweden. 6- 5- 21.	Germany (²). 16- 3- 23. Japan. 6- 7- 21. New Zealand. 11- 11- 20. Siam. 9- 9- 20. South Africa. 1921.	Australia. China. Guatemala. Luxemburg. Nicaragua. Panama. Salvador. Kingdom of the Serbs, Croats and Slovenes.	Albania. Bolivia. Colombia. Dominican Republic. Ethiopia. Haiti. Honduras. Liberia. Persia. Peru. Portugal.

II. Unemployment.

Austria. 12- 6- 24. Bulgaria. 14- 2- 22. Denmark. 13- 10- 21. Esthonia. 20- 12- 22. Finland. 19- 10- 21. France. 25- 8- 25. Germany. 6- 6- 25. Great Britain. 14- 7- 21. Greece. 19- 11- 20. India. 14- 7- 21. Irish Free State. 4- 9- 25. Italy. 10- 4- 23. Japan. 23- 11- 22. Norway. 23- 11- 21. Poland. 21- 6- 24. Roumania. 13- 6- 21. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. South Africa. 20- 2- 24. Spain. 4- 7- 23. Sweden. 27- 9- 21. Switzerland. 9- 10- 22.	Approval : Hungary. 4- 3- 25.  Rejection :  Other decisions (adjournment, etc.) : Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 17- 9- 20. Belgium. 16- 3- 21. Brazil. 1920. Chili. 7- 8- 24. Czechoslo- vakia. 22- 12- 20. Latvia. 26- 4- 23. Lithuania. Aug. 1922. * Paraguay. 24- 5- 26. Uruguay. 11- 9- 25.	Nether- lands. 21- 7- 21.	Cuba. 11- 6- 23.	Canada. 28- 5- 21. New Zealand. 11- 11- 20.	Australia. Guatemala. Luxemburg. Nicaragua. Panama. Salvador.	Albania. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Haiti. Honduras. Liberia. Persia. Peru. Portuga
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------	---------------------	------------------------------------------------------	------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------

III. Childbirth.

Bulgaria. 14- 2- 22. Chili. 15- 9- 25. Greece. 19- 11- 20. * Latvia. 3- 6- 26. Roumania. 13- 6- 21. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. Spain. 4- 7- 23.	Approval : Hungary. 4- 3- 25. Italy. 18- 4- 22.  Rejection : Great Britain. 1921. Switzerland. 1921.  Other decisions (adjournment, etc.) : Finland. 1922. Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 17- 9- 20. Belgium. 16- 3- 21. Brazil. 1920. Cuba. 11- 6- 23. Czecho- slovakia. 22- 12- 20. Denmark (²). 3- 12- 24. France. 29- 4- 20. * Germany. 1927. Lithuania. Aug. 1922. * Paraguay. 24- 5- 26. Poland. 1923. Uruguay. 11- 9- 25.	Austria. 20- 11- 23. Irish Free State. 30- 4- 25. Nether- lands. 21- 7- 21.	Sweden. 30- 11- 22.	Canada. 28- 5- 21. Japan. 6- 7- 21. New Zealand. 11- 11- 20. South Africa. 1921.	Australia. China. Esthonia. Guatemala. India. Luxemburg. Nicaragua. Panama. Portugal. Salvador.	Albania. Bolivia. Colombia. Dominican Republic. Ethiopia. Haiti. Honduras. Liberia. Persia. Peru.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------	------------------------	----------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

(¹) Conditionally.  
(²) Proposal lapsed.

## (A) FIRST SESSION (WASHINGTON, 29 October-29 November 1919) (contd.).

## Conventions.

## IV. Night Work of Women.

\* = Information received since last Report.

(a) Ratifications communicated and date of registration (para. 7).	(b) Decision of the "competent authority" (para. 7) and date of such decision.	(c) States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				(d) States which without an official intim- ation that they have submitted the Convention to the "compe- tent authority" have supplied information of other measures taken.	(e) States which have not officially communica- ted any information.
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
Austria. 12- 6- 24. Belgium. 12- 7- 24. Bulgaria. 14- 2- 22. Czechoslo- vakia. 24- 8- 21. Estonia. 20- 12- 22. France. 14- 5- 25. Great Britain. 14- 7- 21. Greece. 19- 11- 20. India. 14- 7- 21. Irish Free State. 4- 9- 25. Italy. 10- 4- 23. Netherlands. 4- 9- 22. Roumania. 13- 6- 21. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. South Africa. 1- 11- 21. Switzerland. 9- 10- 22.	<i>Approval :</i> Hungary. 4- 3- 25.  <i>Rejection :</i>  <i>Other decisions</i> (adjournment, etc.) : Finland. 1922. Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 17- 9- 20. Brazil. 1920. Chili. 7- 8- 24. Denmark <sup>(1)</sup> . 3- 12- 24. Latvia. 6- 5- 24. Lithuania. Aug. 1922. * Paraguay 24- 5- 26. Spain. 9- 7- 23. Uruguay. 11- 9- 25.	Poland <sup>(1)</sup> . 26- 7- 21.	Cuba. 11- 6- 23. Sweden. 30- 11- 22.	Canada. 28- 5- 21. Germany <sup>(1)</sup> . 16- 3- 23. Japan. 6- 7- 21. New Zealand. 11- 11- 20.	Australia. 28- 5- 21. Guatemala. 16- 3- 23. Luxemburg. 6- 7- 21. Nicaragua. 11- 11- 20. Panama. 11- 11- 20. Portugal. 11- 11- 20. Salvador. 11- 11- 20.	Albania. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Haiti. Honduras. Liberia. Persia. Peru.

## V. Minimum Age.

Belgium. 12- 7- 24. Bulgaria. 14- 2- 22. Chili. 15- 9- 25. Czechoslo- vakia. 24- 8- 21. Denmark. 4- 1- 23. Estonia. 20- 12- 22. Great Britain. 14- 7- 21. Greece. 19- 11- 20. Irish Free State. 4- 9- 25. * Japan. 7- 8- 26. * Latvia. 3- 6- 26. Poland. 21- 6- 24. Roumania. 13- 6- 21. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. Switzerland. 9- 10- 22.	<i>Approval :</i> Finland. 1922. Italy. 20- 3- 24. Netherlands. 20- 5- 22.  <i>Rejection :</i>  <i>Other decisions</i> (adjournment, etc.) : Hungary. 4- 3- 25. India <sup>(2)</sup> . 1921. Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 17- 9- 20. Brazil. 1920. Cuba. 11- 6- 23. France. 29- 4- 20. Lithuania. Aug. 1922. * Paraguay 24- 5- 26. Spain. 9- 7- 23. Sweden. 30- 11- 22. Uruguay. 11- 9- 25.	Austria. 20- 11- 23.	Canada. 28- 5- 21. Germany <sup>(1)</sup> . 16- 3- 23. New Zealand. 11- 11- 20. South Africa. 1921.	Australia. 28- 5- 21. China. 16- 3- 23. Guatemala. 6- 7- 21. Luxemburg. 11- 11- 20. Nicaragua. 11- 11- 20. Panama. 11- 11- 20. Portugal. 11- 11- 20. Salvador. 11- 11- 20.	Albania. Bolivia. Colombia. Dominican Republic. Ethiopia. Haiti. Honduras. Liberia. Persia. Peru.
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------	--------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

## VI. Night Work of Young Persons.

Austria. 12- 6- 24. Belgium. 12- 7- 24. Bulgaria. 14- 2- 22. Chili. 15- 9- 25. Denmark. 4- 1- 23. Estonia. 20- 12- 22. France. 25- 8- 25. Great Britain. 14- 7- 21. Greece. 19- 11- 20. India. 14- 7- 21. Irish Free State. 4- 9- 25. Italy. 10- 4- 23. * Latvia. 3- 6- 26. Nether- lands. 17- 3- 24. Poland. 21- 6- 24. Roumania. 13- 6- 21. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. Switzerland. 9- 10- 22.	<i>Approval :</i> Finland. 1922. Hungary. 4- 3- 25.  <i>Rejection :</i>  <i>Other decisions</i> (adjournment, etc.) : Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 17- 9- 20. Brazil. 1920. Cuba. 11- 6- 23. Czechoslovakia. 22- 12- 20. Lithuania. Aug. 1922. * Paraguay 24- 5- 26. Spain. 9- 7- 23. Uruguay. 11- 9- 25.	Sweden. 30- 11- 22.	Canada. 28- 5- 21. Germany <sup>(1)</sup> . 16- 3- 23. Japan. 6- 7- 21. New Zealand. 11- 11- 20. South Africa. 1921.	Australia. 28- 5- 21. China. 16- 3- 23. Guatemala. 6- 7- 21. Luxemburg. 11- 11- 20. Nicaragua. 11- 11- 20. Panama. 11- 11- 20. Portugal. 11- 11- 20. Salvador. 11- 11- 20.	Albania. Bolivia. Colombia. Dominican Republic. Ethiopia. Haiti. Honduras. Liberia. Persia. Peru.
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------	----------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

<sup>(1)</sup> Proposal lapsed.<sup>(2)</sup> Approved with reservations : see Record of 1921 Session of Conference, p. 1043.



## (B) SECOND SESSION (GENOA, 15 June-10 July 1920).

## Conventions.

## I. Minimum Age (Sea).

\* = Information received since last Report.

(a) Ratifications communicated and date of registration (para. 7).	(b) Decision of the "competent authority" (para. 7) and date of such decision.	(c) States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				(d) States which without an official intima- tion that they have submitted the Convention to the "compe- tent authority" have supplied information of other measures taken.	(e) States which have not officially commu- nicated any information
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
Belgium. 4- 2- 25. Bulgaria. 16- 3- 23. Canada. 31- 3- 26. Denmark. 12- 5- 24. Estonia. 3- 3- 23. Finland. 10- 10- 25. Great Britain. 14- 7- 21. Greece. 16- 12- 25. Irish Free State. 4- 9- 25. Japan. 7- 6- 24. * Latvia. 3- 6- 26. Netherlands. 26- 3- 25. Poland. 21- 6- 24. Roumania. 8- 5- 22. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. Spain. 20- 6- 24. Sweden. 27- 9- 21.	<i>Approval:</i> Hungary. 4- 3- 25. Italy. 20- 3- 24. <i>Rejection:</i> Switzerland. 1922. <i>Other decisions (adjournment, etc.):</i> India (1). 27- 9- 21. Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 8- 9- 21. Chili. 7- 8- 24. Cuba. 11- 6- 23. Germany(2). 16- 3- 23. Lithuania. Aug. 1922. Uruguay. 11- 9- 25.		Austria. 20- 11- 23.	New Zealand. 1923.	Australia. Czecho-slovakia. France. Haiti. Luxemburg. South Africa.	Albania. Bolivia. Brazil. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Honduras. Liberia. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

## II. Unemployment Indemnity.

Belgium. 4- 2- 25. Bulgaria. 16- 3- 23. Canada. 31- 3- 26. Estonia. 3- 3- 23. Great Britain. 12- 3- 26. Greece. 16- 12- 25. Italy. 8- 9- 24. * Latvia (3). 5- 8- 26. Poland. 21- 6- 24. Spain. 20- 6- 24.	<i>Approval:</i> Netherlands (4). 13- 1- 23. <i>Rejection:</i> India. 27- 9- 21. Switzerland. 1922. <i>Other decisions (adjournment, etc.):</i> Norway. 27- 6- 25. Roumania. 30- 4- 25. Siam. 1922. Sweden. 1921. Venezuela. 11- 7- 25.	Argentina. 8- 9- 21. Chili. 7- 8- 24. Cuba. 11- 6- 23. Denmark (2). 1926. France. 25- 5- 25. Germany. 16- 3- 23. Lithuania. Aug. 1922. Uruguay. 11- 9- 25.	Irish Free State. 30- 4- 25.	Austria. 20- 11- 23.	Finland. 19- 11- 21. Japan. 6- 1- 22. New Zealand. 1923.	Australia. Czecho-slovakia. Haiti. Luxemburg. Kingdom of the Serbs, Croats and Slovenes. South Africa.	Albania. Bolivia. Brazil. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Honduras. Hungary. Liberia. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------	----------------------	----------------------------------------------------------------	--------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## III. Employment for Seamen.

Australia. 3- 8- 25. Belgium. 4- 2- 25. Bulgaria. 16- 3- 23. Estonia. 3- 3- 23. Finland. 7- 10- 22. Germany. 6- 6- 25. Greece. 16- 12- 25. Italy. 8- 9- 24. Japan. 23- 11- 22. * Latvia. 3- 6- 26. Norway. 23- 11- 21. Poland. 21- 6- 24. Sweden. 27- 9- 21.	<i>Approval:</i> Netherlands (4). 13- 1- 23. <i>Rejection:</i> India. 27- 9- 21. Switzerland. 1922. <i>Other decisions (adjournments, etc.):</i> Great Britain. 8- 11- 21. Roumania. 30- 4- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 8- 9- 21. Chili. 7- 8- 24. Cuba. 11- 6- 23. Denmark (2). 1926. France. 11- 6- 25. Lithuania. Aug. 1922. Spain. 9- 7- 23. Uruguay. 11- 9- 25.	Irish Free State. 30- 4- 25.	Austria. 20- 11- 23.	Canada. 28- 5- 21. New Zealand. 1923.	Czecho-slovakia. Haiti. Luxemburg. Kingdom of the Serbs, Croats and Slovenes. South Africa.	Albania. Bolivia. Brazil. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Honduras. Hungary. Liberia. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------	----------------------	------------------------------------------	---------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

(1) Approved with reservations: see *Official Bulletin of the International Labour Office*, Vol. V, p. 208 and *Final Record of 1922 Session of Conference*, p. 800.

(2) Proposal lapsed.

(3) Conditionally.

(4) Act reserving to the Crown the right to ratify the Convention

## (C) THIRD SESSION (GENEVA, 25 October-19 November 1921).

## Conventions.

## I. Minimum Age (Agriculture).

\* = Information received since last Report.

(a) Ratifications communicated and date of registration (para. 7).	(b) Decision of the "competent authority" (para. 7) and date of such decision.	(c) States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				(d) States which without an official intim- ation that they have submitted the Convention to the "compe- tent authority" have supplied information of other measures taken.	(e) States which have not officially communica- ted any information.
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
Austria. 12- 6-24. Bulgaria. 6- 3-25. Czechoslovakia. 31- 8-23. Esthonia. 8- 9-22. * Hungary. 2- 2-27. Irish Free State. 26- 5-25. Italy. 8- 9-24. Japan. 10-12-23. Poland. 21- 6-24. Sweden. 27-11-23.	<i>Approval:</i> Latvia. 17- 6- 24.  <i>Rejection:</i> Great Britain. 6- 2- 25. India. 1923.  <i>Other decisions (adjournment, etc.):</i> Finland. 20- 2- 23. Norway. 27- 6- 25. Roumania. 30- 4- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 18- 5- 25. Chili. 7- 8- 24. Denmark. 1926. Germany <sup>(1)</sup> . 18- 5- 23. Spain. 9- 7- 23. Uruguay. 11- 9- 25.	* Nether- lands. 29- 4- 26.		Brazil. 7- 12- 22. Canada. 23- 3- 23. China. 1923. Cuba. 11- 6- 23. New Zealand 1923. South Africa. 1923. Switzerland. 4- 5- 23.	Albania. Australia. France. Lithuania. Kingdom of the Serbs, Croats and Slovenes.	Belgium. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

## II. Rights of Association (Agriculture).

Austria. 12- 6-24. * Belgium. 19- 7-26. Bulgaria. 6- 3-25. Chili. 15- 9-25. Czechoslovakia. 31- 8-23. Esthonia. 8- 9-22. Finland. 19- 6-23. Germany. 6- 6-25. Great Britain. 6- 8-23. India. 11- 5-23. Irish Free State. 17- 6-24. Italy. 8- 9-24. Latvia. 9- 9-24. * Nether-lands. 20- 8-26. Poland. 21- 6-24. Sweden. 27-11-23.	<i>Approval:</i>  <i>Rejection:</i>  <i>Other decisions (adjournment, etc.):</i> Hungary. 4- 3- 25. Japan. 27- 6- 23. Norway. 27- 6- 25. Roumania. 30- 4- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 18- 5- 25. Denmark. 1926. France. 14- 1- 26. Spain. 9- 7- 25. Uruguay. 11- 9- 25.	Switzerland. 4- 5- 23.	Brazil. 7- 12- 22. Canada. 23- 3- 23. China. 1923. Cuba. 11- 6- 23. New Zealand 1923. South Africa. 1923.	Albania. Australia. Lithuania. Kingdom of the Serbs, Croats and Slovenes.	Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------	------------------------	--------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<sup>(1)</sup> Proposal lapsed.



## (C) THIRD SESSION (GENEVA, 25 October-19 October 1921) (contd.).

## Conventions.

## III. Workmen's Compensation (Agriculture).

\* = Information received since last Report.

(a) Ratifications communicated and date of registration (para. 7).	(b) Decision of the "competent authority" (para. 7) and date of such decision.	(c) States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				(d) States which without an official intim- ation that they have submitted the Convention to the "compe- tent authority" have supplied information of other measures taken.	(e) States which have not officially communica- ted any information.
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
Bulgaria. 6- 3- 25. Chili. 15- 9- 25. Denmark. 26- 2- 23. Esthonia. 8- 9- 22. Germany. 6- 6- 25. Great Britain. 6- 8- 23. Irish Free State. 17- 6- 24. * Netherlands. 20- 8- 26. Poland. 21- 6- 24. Sweden. 27- 11- 23.	Approval : Hungary. 4- 3- 25.  Rejection :  Other decisions (adjournment, etc.) : Finland. 20- 2- 23. India. 1923. Japan. 27- 6- 23. Norway. 27- 6- 25. Roumania. 30- 4- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 18- 5- 25. France. 14- 1- 26. Italy. 16- 5- 23. Spain. 9- 7- 23. Uruguay. 11- 9- 25.	Austria. 10- 9- 23.	Switzerland. 4- 5- 23.	Brazil. 7- 12- 22. Canada. 23- 3- 23. China. 1923. Cuba. 11- 6- 23. New Zealand. 1923. South Africa. 1923.	Albania. Australia. Belgium. Czechoslo- vakia. Latvia. Lithuania. Kingdom of the Serbs, Croats and Slovenes.	Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Liberia. Luxem- burg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

## IV. White Lead.

Austria. 12- 6- 24. * Belgium. 19- 7- 26. Bulgaria. 6- 3- 25. Chili. 15- 9- 25. Czecho- slovakia. 31- 8- 23. Esthonia. 8- 9- 22. France. 19- 2- 26. * Greece. 22- 12- 26. Latvia. 9- 9- 24. Poland. 21- 6- 24. Roumania. 4- 12- 25. Spain. 20- 6- 24. Sweden. 27- 11- 23.	Approval : Hungary (1). 4- 3- 25. Italy. 20- 3- 24.  Netherlands (2). 10- 6- 26. Rejection : India. 1924. Other decisions (adjournment, etc.) : Finland. 20- 2- 23. Japan. 27- 6- 23. Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 18- 5- 25. Cuba. 11- 6- 23. Denmark (3). 3- 12- 24. Germany. 18- 5- 23. Uruguay. 11- 9- 25.	Gt. Britain. 9- 5- 23. Irish Free State. 30- 4- 25. Switzerland. 4- 5- 23.	Brazil. 7- 12- 22. Canada. 23- 3- 23. China. 1923. New Zealand. 1923. South Africa. 1923.	Albania. Australia. Lithuania. Kingdom of the Serbs, Croats and Slovenes.	Bolivia. Colombia. Dominican Republic. Ethiopia. Guatemala. Haiti. Honduras. Liberia. Luxem- burg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

(1) Conditionally.

(2) Act reserving to the Crown the right to ratify the Convention.

(3) Proposal lapsed.

## (C) THIRD SESSION (GENEVA, 25 October-19 November 1921) (contd.).

## Conventions.

## V. Weekly Rest (Industry).

\* = Information received since last Report.

(a) Ratifications communicated and date of registration (para. 7).	(b) Decision of the "competent authority" (para. 7) and date of such decision.	(c) States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				(d) States which without an official intim- ation that they have submitted the Convention to the "compe- tent authority" have supplied information of other measures taken.	(e) States which have not officially communica- ted any information.
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
* Belgium. 19- 7- 26. Bulgaria. 6- 3- 25. Chili. 15- 9- 25. Czechoslo- vakia. 31- 8- 23. Esthonia. 29- 11- 23. Finland. 19- 6- 23. * France. 3- 9- 26. India. 11- 5- 23. Italy. 8- 9- 24. Latvia. 9- 9- 24. Poland. 21- 6- 24. Roumania. 18- 8- 23. * Kingdom of Serbs, Croats and Slovenes 1- 4- 27. Spain. 20- 6- 24.	<i>Approval :</i> Greece. 3- 9- 22. Hungary. 4- 3- 25. Nether- lands <sup>(1)</sup> . 10- 6- 26. <i>Rejection :</i> Great Britain. 9- 5- 23. Sweden. 1923. <i>Other decisions (adjournment, etc.) :</i> Germany <sup>(2)</sup> . 1923. Japan. 27- 6- 23. Norway. 27- 6- 25. Siam. 1922. Switzerland 1925. Venezuela. 11- 7- 25.	Argentina. 18- 5- 25. Denmark <sup>(3)</sup> . 1926. Uruguay. 11- 9- 25.	Austria. 10- 9- 23. Irish Free State. 30- 4- 25.		Brazil. 7- 12- 22. Canada. 23- 3- 23. China. 1923. Cuba. 11- 6- 23. New Zealand. 1923. South Africa. 1923.	Albania. Australia. Lithuania.	Bolivia. Colombia. Dominican Republic. Ethiopia. Guatemala. Haiti. Honduras. Liberia. Luxem- burg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

## VI. Minimum Age for Trimmers or Stokers.

* Belgium. 19- 7- 26. Bulgaria. 6- 3- 25. Canada. 31- 3- 26. Denmark. 12- 5- 24. Esthonia. 8- 9- 22. Finland. 10- 10- 25. Great Britain. 8- 3- 26. India. 20- 11- 22. Italy. 8- 9- 24. Latvia. 9- 9- 24. Poland. 21- 6- 24. Roumania. 18- 8- 23. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. Spain. 20- 6- 24. Sweden. 14- 7- 25.	<i>Approval :</i> Hungary. 4- 3- 25. * Netherlands. 10- 6- 26. <i>Rejection :</i> <i>Other decisions (adjournment, etc.) :</i> Japan. 27- 6- 23. Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 18- 5- 25. Chili. 7- 8- 24. France. 1- 4- 25. Germany <sup>(3)</sup> . 18- 5- 23. Uruguay. 11- 9- 25.	Austria. 10- 9- 23. Irish Free State. 30- 4- 25.		Brazil. 7- 12- 22. China. 1923. Cuba. 11- 6- 23. New Zealand 1923. South Africa. 1923. Switzerland. 4- 5- 23.	Albania. Australia. Czechoslo- vakia. Lithuania.	Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Liberia. Luxem- burg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------	--	---------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<sup>(1)</sup> Act reserving to the Crown the right to ratify the Convention.<sup>(2)</sup> Decision of the Reichsrat : see Record of 1924 Session of Conference, p. 838.<sup>(3)</sup> Proposal lapsed.



(C) THIRD SESSION (GENEVA, 25 October-19 November 1921) (contd.).

Conventions.

VII. Medical Examination of Young Persons (Sea).

\* = Information received since last Report.

(a)	(b)	(c)				(d)	(e)
Ratifications communicated and date of registration (para. 7).	Decision of the "competent authority" (para. 7) and date of such decision.	States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				States which without an official intimation that they have submitted the Convention to the "competent authority" have supplied information of other measures taken.	States which have not officially communicated any information.
		(1)	(2)	(3)	(4)		
		Proposing ratification.	Proposing adjournment or reservation of ratification.	Proposing no ratification.	With no proposal.		
* Belgium. 19- 7- 26. Bulgaria. 6- 3- 25. Canada. 31- 3- 26. Esthonia. 8- 9- 22. Finland. 10- 10- 25. Great Britain. 8- 3- 26. India. 20- 11- 22. Italy. 8- 9- 24. Japan. 7- 6- 24. Latvia. 9- 9- 24. Poland. 21- 6- 24. Roumania. 18- 8- 23. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. Spain. 20- 6- 24. Sweden. 14- 7- 25.	<i>Approval :</i> Hungary. 4- 3- 25. * Netherlands. 10- 6- 26.  <i>Rejection :</i>  <i>Other decisions (adjournment, etc.) :</i> Norway. 27- 6- 25. Siam. 1922. Venezuela. 11- 7- 25.	Argentina. 18- 5- 25. Chili. 7- 8- 24. Cuba. 11- 6- 23. Denmark <sup>(1)</sup> . 1926. France. 1- 4- 25. Germany. 18- 5- 23. Uruguay. 11- 9- 25.	Austria. 10- 9- 23. Irish Free State. 30- 4- 25.		Brazil. 7- 12- 22. China. 1923. New Zealand. 1923. South Africa. 1923. Switzerland. 4- 5- 23.	Albania. Australia. Czechoslovakia. Lithuania.	Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

(1) Proposal lapsed.

(D) SEVENTH SESSION (GENEVA, 19 May-10 June 1925).

Conventions.

I. Workmen's compensation for accidents.

\* = Information received since last Report.

(a)	(b)	(c)				(d)	(e)
Ratifications communicated and date of registration (para. 7).	Decision of the "competent authority" (para. 7) and date of such decision.	States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				States which without an official intimation that they have submitted the Convention to the "competent authority" have supplied information of other measures taken.	States which have not officially communicated any information.
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
* Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. * Sweden. 8- 9- 26.	<i>Approval :</i>  <i>Rejection :</i> * Norway. 7- 7- 26.  <i>Other decisions (adjournment, etc.) :</i> * Venezuela. 4- 6- 26.	Belgium. 2- 2- 26. Esthonia. 4- 11- 25. * Netherlands. 3- 9- 26. * Poland. 12- 12- 26. * Portugal. 1926.	* Austria. 3- 12- 26. Finland. 13- 3- 26. * Italy. 15- 12- 26. * Switzerland 7- 6- 26.	* Great Britain. 1926.	* Brazil. 1927. * Denmark. 1925. * Germany. 1926. * India. 1926. * Irish Free State. 28- 5- 26. * New Zealand 1927. South Africa. 1925.	* Australia <sup>(1)</sup> Canada. Cuba. * Czechoslovakia. * France. * Greece. * Japan. * Latvia. * Luxemburg. * Nicaragua. * Roumania. Salvador. Uruguay.	All the other States Members.

II. Workmen's compensation for occupational diseases.

* Great Britain. 6- 10- 26. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27.	<i>Approval :</i>  <i>Rejection :</i>  <i>Other decisions (adjournment, etc.) :</i> * Norway. 7- 7- 26. * Sweden. 13- 7- 26. * Venezuela. 4- 6- 26.	Belgium. 2- 2- 26. Esthonia. 4- 11- 25. Finland. 13- 3- 26. * India. 10- 2- 26. * Poland. 12- 12- 26. * Portugal. 1926. * Switzerland. 7- 6- 26.	* Austria. 3- 12- 26. * Italy. 15- 12- 26. * Nether- lands. 3- 9- 26.	* Brazil. 1927. * Denmark. 1925. * Germany. 1926. * Irish Free State. 28- 5- 26. * New Zealand 1927. South Africa. 1925.	* Australia <sup>(1)</sup> . Canada. Cuba. * Czechos- lovakia. * Francee. * Greecee. * Japan. * Latvia. * Luxemburg. * Nicaragua. * Roumania. Uruguay.	All the other States Members.
--------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------

III. Equality of treatment for national and foreign workers as regards workmens' compen-  
sation for accidents.

* Czechozlo- vakia. 8- 2- 27. * Great Britain. 6- 10- 26. * Kingdom of Serbs, Croats and Slovenes. 1- 4- 27. South Africa. 30- 3- 26. * Sweden. 8- 9- 26.	<i>Approval :</i>  <i>Rejection :</i>  <i>Other decisions adjournment, etc.) :</i> * Norway. 7- 7- 26. * Venezuela. 4- 6- 26.	* Austria. 3- 12- 26. Belgium. 2- 2- 26. Esthonia. 4- 11- 25. Finland. 13- 3- 26. * India. 1926. * Italy. 15- 12- 26. * Netherlands. 3- 9- 26. * Poland. 12- 12- 26. * Portugal. 1926. * Switzerland. 7- 6- 26.		* Brazil. 1927. * Denmark. 1925. * Germany. 1926. * Irish Free State. 28- 5- 26. * New Zealand. 1927.	* Australia <sup>(1)</sup> . Canada. Chili. Cuba. * Francee. * Greecee. * Japan. * Latvia. * Luxemburg. * Nicaragua. * Roumania. Uruguay.	All the other States Members.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	-------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------

IV. Night work in Bakeries.

<i>Approval :</i>  <i>Rejection :</i> * Norway. 7- 7- 26. * Sweden. 22- 10- 26. <i>Other decisions (adjournment, etc.) :</i> * Venezuela. 4- 6- 26.	* Austria. 22- 11- 26. Esthonia. 4- 11- 25. Finland. 13- 3- 26. * Poland. 12- 12- 26.	* Italy. 15- 12- 26. * Nether- lands. 3- 9- 26 * Portugal. 1926. * Switzer- land. 7- 6- 26.	* Great Britain. 1926.	* Brazil. 1927. * Denmark. 1925. * Germany. 1926. * Irish Free State. 27- 4- 26. * India. 1926. * New Zealand 1927. South Africa. 1925.	* Australia <sup>(1)</sup> . * Belgium. Canada. Chili. Cuba. * Czechos- lovakia. * Francee. * Greecee. * Japan. Latvia. * Luxemburg. * Nicaragua. * Roumania. Uruguay.	All the other States Members.
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------	---------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------

<sup>(1)</sup> All the States except Victoria.



(E) EIGHTH SESSION (GENEVA, 26 May-5 June 1926).  
Convention.

Simplification of inspection of emigrants on board ship.

\* = Information received since last Report.

(a) Ratifications communicated and date of registration (para. 7).	(b) Decision of the "competent authority" (para. 7) and date of such decision.	(c) States which have officially declared that they have submitted the Convention to the "competent authority" (para. 5) and date of such submission.				(d) States which without an official intim- ation that they have submitted the Convention to the "compe- tent authority" have supplied information of other measures taken.	(e) States which have not officially communica- ted any information.
		(1) Proposing ratification.	(2) Proposing adjournment or reservation of ratification.	(3) Proposing no ratification.	(4) With no proposal.		
		* Cuba. 1927.			* Denmark. 8- 10- 26.	* Argentina. * Chili.	All the other States Members.

(F) NINTH SESSION (GENEVA, 7-24 June 1926).  
Convention.

I. Seamen's articles of agreement.

\* = Information received since last Report.

		* Belgium. 24- 3- 27. * Cuba. 1927. * Denmark. 1926.				* Argentina. * Chili.	All the other States Members.
--	--	------------------------------------------------------------	--	--	--	--------------------------	----------------------------------------

II. Repatriation of seamen.

		* Belgium. 24- 3- 27. * Cuba. 1927. * Denmark. 1926.				* Argentina. * Chili.	All the other States Members.
--	--	------------------------------------------------------------	--	--	--	--------------------------	----------------------------------------

(A) FIRST SESSION (WASHINGTON, 29 October-29 November 1919).

Recommendations.

I. Unemployment.

\* = Information received since last Report.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia (¹). Belgium. 16- 6- 21. Bulgaria. 10- 2- 22. Denmark. 15- 7- 21. * Esthonia. 15- 5- 26. Finland. 22- 3- 21. France. 25- 1- 21. * Germany. 25- 10- 26. Great Britain. 10- 9- 21. India. 12- 7- 21. Italy. 12- 7- 21. * Japan. 4- 8- 26. Norway. 31- 5- 21. Netherlands. 17- 5- 21. New Zealand. 4- 8- 21. Poland. 26- 7- 21. Roumania. 31- 5- 21. Siam. 10- 5- 22. Spain. 4- 7- 21. Sweden. 5- 6- 21 ; 3- 10- 21. Switzerland. Aug. 1923 ; 16- 1- 26.	Argentina. 17- 9- 20. Austria. 20- 11- 23. Brazil. 1920. Canada. 28- 5- 21. Chili. 7- 8- 24. Cuba. 17- 1- 22. Hungary. 13- 3- 24. Lithuania. Aug. 1922. South Africa. 1921. Venezuela. 1920.	Czechoslovakia. Greece. Latvia. Luxemburg. Panama. Kingdom of the Serbs, Croats and Slovenes. Uruguay.	Albania. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Nicaragua. Paraguay. Persia. Peru. Portugal. Salvador.

II. Reciprocity of Treatment.

Australia (¹). Belgium. 16- 6- 21. Bulgaria. 10- 2- 22. Chili. 1- 7- 21. Denmark. 15- 7- 21. * Esthonia. 15- 5- 26. Finland. 22- 3- 21. France. 25- 1- 21. * Germany. 25- 10- 26. India. 12- 7- 21. Italy. 12- 7- 21. * Japan. 4- 8- 26. Netherlands. 17- 5- 21. New Zealand. 4- 8- 21. Norway. 31- 5- 21. Poland. 26- 7- 21. Roumania. 31- 5- 21. Siam. 10- 5- 22. Spain. 4- 7- 21. Sweden. 3- 6- 21 ; 3- 10- 21. Switzerland. Aug. 1923 ; 16- 1- 26.	Argentina. 17- 9- 20. Austria. 20- 11- 23. Brazil. 1920. Canada. 28- 5- 21. Cuba. 17- 1- 22. Great Britain. 1920. Hungary. 13- 3- 24. Lithuania. Aug. 1922. South Africa. 1921. Venezuela. 1920.	Czechoslovakia. Greece. Latvia. Luxemburg. Panama. Kingdom of the Serbs, Croats and Slovenes. Uruguay.	Albania. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Nicaragua. Paraguay. Persia. Peru. Portugal. Salvador.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

III. Anthrax.

Australia (¹). Belgium. 16- 6- 21. Bulgaria. 10- 2- 22. Denmark. 15- 7- 21. * Esthonia. 15- 5- 26. Finland. 22- 3- 21. France. 25- 1- 21. Great Britain. 11- 1- 21. India. 12- 7- 21. Italy. 12- 7- 21. * Japan. 4- 8- 26. Netherlands. 17- 5- 21. New Zealand. 4- 8- 21. Norway. 31- 5- 21. Poland. 26- 7- 21. Roumania. 31- 5- 21. Siam. 10- 5- 22. Spain. 4- 7- 21. Sweden. 3- 6- 21. Switzerland. Aug. 1923 ; 16- 1- 26.	Argentina. 17- 9- 20. Austria. 20- 11- 23. Brazil. 1920. Canada. 28- 5- 21. Chili. 7- 8- 24. Cuba. 17- 1- 22. Germany (²). 16- 3- 23. Hungary. 13- 3- 24. Lithuania. Aug. 1922. South Africa. 1921. Venezuela. 1920.	Czechoslovakia. Greece. Latvia. Luxemburg. Panama. Kingdom of the Serbs, Croats and Slovenes. Uruguay.	Albania. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Nicaragua. Paraguay. Persia. Peru. Portugal. Salvador.
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

(¹) The Prime Minister of Australia has communicated to the Secretary-General of the League of Nations information supplied by certain States of the Commonwealth on the subject of measures giving effect to the Recommendations, which fall within the competence of the States :— Western Australia, 29. 5. 25 ; New South Wales, 1. 5. 25 ; Tasmania, 1925 (with the exception of the Recommendation concerning Anthrax) ; Victoria, 1. 5. 25 ; Queensland, 2. 7. 25.  
(²) Proposal lapsed.



## (A) FIRST SESSION (WASHINGTON, 29 Oct.-29 Nov. 1919) (contd.).

## Recommendations.

## IV. Lead Poisoning.

\* = Information received since last Report.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia <sup>(1)</sup> . Belgium. 16- 6- 21. Bulgaria. 10- 2- 22. Denmark. 15- 7- 21. * Estonia. 15- 5- 26. France. 25- 1- 21 ; 8- 10- 26. Great Britain. 11- 1- 21. India. 12- 7- 21. Italy. 12- 7- 21. * Japan. 4- 8- 26. Netherlands. 17- 5- 21. New Zealand. 4- 8- 21. Norway. 31- 5- 21. Poland. 26- 7- 21. Roumania. 31- 5- 21. Siam. 10- 5- 22. Spain. 4- 7- 21. Sweden. 3- 6- 21. Switzerland. Aug. 1923 ; 16- 1- 26.	Argentina. 17- 9- 20. Austria. 20- 11- 23. Brazil. 1920. Canada. 28- 5- 21. Chili. 7- 8- 24. Cuba. 17- 1- 22. Finland. 1921. Germany <sup>(2)</sup> . 16- 3- 23. Hungary. 13- 3- 24. Lithuania. Aug. 1922. South Africa. 1921. Venezuela. 1920.	Czechoslovakia. Greece. Latvia. Luxemburg. Panama. Portugal. Kingdom of the Serbs, Croats and Slovenes. Uruguay.	Albania. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Nicaragua. Paraguay. Persia. Peru. Salvador.

## V. Government Health Services.

Australia <sup>(1)</sup> . Belgium. 16- 6- 21. Bulgaria. 10- 2- 22. Chili. 1- 7- 21. Denmark. 15- 7- 21. * Estonia. 15- 5- 26. Finland. 22- 3- 21. France. 25- 1- 21. * Germany. 9- 8- 26. Great Britain. 11- 1- 21. India. 12- 7- 21. Italy. 12- 7- 21. * Japan. 4- 8- 26. Netherlands. 17- 5- 21. New Zealand. 4- 8- 21. Norway. 31- 5- 21. Poland. 26- 7- 21. Roumania. 31- 5- 21. Siam. 10- 5- 22. Spain. 4- 7- 21. Sweden. 3- 6- 21 ; 3- 10- 21. Switzerland. Aug. 1923 ; 16- 1- 26.	Argentina. 17- 9- 20. Austria. 20- 11- 23. Brazil. 1920. Canada. 28- 5- 21. Cuba. 17- 1- 22. Hungary. 13- 3- 24. Lithuania. Aug. 1922. South Africa. 1921. Venezuela. 1920.	Czechoslovakia. Greece. Latvia. Luxemburg. Panama. Kingdom of the Serbs, Croats and Slovenes. Uruguay.	Albania. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Nicaragua. Paraguay. Persia. Peru. Portugal. Salvador.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## VI. White Phosphorus.

(a)	(b)	(c)	(d)	(e)	(f)	(g)
Adherence to the Berne Convention (1906) communicated before the Washington Conference.	Date of coming into force of the Convention.	Adherence to the Berne Convention communicated in application of the Washington Recommendation.	Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Canada. 20- 9- 14. Denmark <sup>(4)</sup> . 1- 1- 12. France <sup>(4)</sup> . 1- 1- 12. Germany <sup>(4)</sup> . 1- 1- 12. Great Britain. 28- 12- 08. Italy. 6- 7- 10. Luxemburg <sup>(4)</sup> . Netherlands <sup>(4)</sup> . New Zealand. 27- 11- 11. Norway. 26- 6- 14. South Africa <sup>(3)</sup> . 6- 12- 10. Spain. 29- 10- 09. Switzerland <sup>(4)</sup> .	20- 9- 19. 1- 1- 12. 1- 1- 12. 1- 1- 12. 28- 12- 13. 6- 7- 15. 1- 1- 12. 27- 11- 16. 10- 7- 19. 3- 5- 14. 29- 10- 14. 1- 1- 12.	Australia. 30- 12- 19. Austria. 23- 3- 21. Belgium. 8- 12- 22. * Bulgaria. 1- 11- 26. China. 6- 12- 23. Czechoslovakia. 30- 3- 21. Free City of Danzig <sup>(5)</sup> . 23- 8- 21. Estonia. 2- 2- 23. Finland. 13- 10- 21. Hungary. 19- 11- 25. India. 30- 12- 19. * Irish Free State. 15- 4- 26. Japan. 14- 10- 21. Palestine <sup>(6)</sup> . 17- 9- 25. Poland. 14- 1- 21. Roumania. 21- 7- 21. Sweden. 10- 4- 20.	Chili Aug. 1925. Greece. 1- 11- 20. Siam. 10- 5- 22.	Argentina. 17- 9- 20. Brazil. 1920. Cuba. 17- 1- 22. Lithuania. Aug. 1922. Venezuela. 1920.	Guatemala. Latvia. Panama. Kingdom of the Serbs, Croats and Slovenes.	Albania. Bolivia. Colombia. Dominican Republic. Ethiopia. Haiti. Honduras. Liberia. Nicaragua. Paraguay. Persia. Peru. Portugal. Salvador. Uruguay.

<sup>(1)</sup> See note 1 on preceding page.<sup>(2)</sup> Proposal lapsed.<sup>(3)</sup> With retrospective effect from 3 May 1908.<sup>(4)</sup> These States were signatories of the Convention and were bound by Article 4 to deposit their ratifications of the Con-

vention by 31 December 1908. The Convention was to come into force three years later.

<sup>(5)</sup> Adherence communicated by Poland.<sup>(6)</sup> Adherence communicated by Great Britain.

## (B) SECOND SESSION (GENOA, 15 June-10 July 1920).

## Recommendations.

## I. Hours of Work (Fishing).

\* = Information received since last Report.

(a)		(b)		(c)		(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).		States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.		States which have supplied other official information.		States which have supplied no official information.
Australia.	28- 8- 24.	Argentina.	8- 9- 21.	Belgium.		Albania.
Bulgaria.	10- 3- 23.	Austria.	20- 11- 23.	Czechoslovakia.		Bolivia.
Canada.	4- 6- 21.	Cuba.	17- 1- 22.	Greece.		Brazil.
Chili.	1- 7- 21.	Denmark.	15- 4- 21.	Haiti.		China.
* Esthonia.	15- 5- 26.	Finland.	9- 12- 21.	Latvia.		Colombia.
France.	2- 4- 24.	Germany <sup>(1)</sup> .	1921.	Luxemburg.		Dominican
India.	7- 3- 22.	Great Britain.	8- 11- 21.	Poland.		Republic.
Italy.	5- 1- 22.	Lithuania.	Aug. 1922.	Kingdom of the		Ethiopia.
* Japan.	4- 8- 26.	Netherlands.	14- 2- 22.	Serbs, Croats		Guatemala.
* Norway.	1- 12- 26.	New Zealand.	1923.	and Slovenes.		Honduras.
Sweden.	5- 7- 21.	Roumania.	1922.	South Africa.		Hungary.
Switzerland.	2- 3- 22; 16- 1- 26.	Siam.	1922.	Spain.		Irish Free State.
		Venezuela.	1922.	Uruguay.		Liberia.
						Nicaragua.
						Panama.
						Paraguay.
						Persia.
						Peru.
						Portugal.
						Salvador.

## II. Hours of Work (Inland Navigation).

Australia.	28- 8- 24.	Argentina.	8- 9- 21.	Belgium.		Albania.
Bulgaria.	10- 3- 23.	Austria.	20- 11- 23.	Czechoslovakia.		Bolivia.
Canada.	4- 6- 21.	Cuba.	17- 1- 22.	Haiti.		Brazil.
Chili.	1- 7- 21.	Denmark.	15- 4- 21.	Latvia.		China.
* Esthonia.	15- 5- 26.	Finland.	9- 12- 21.	Luxemburg.		Colombia.
France.	2- 4- 24.	Germany <sup>(1)</sup> .	1921.	Poland.		Costa Rica.
India.	17- 11- 22.	Great Britain.	8- 11- 21.	Kingdom of the		Dominican
Italy.	5- 1- 22.	Lithuania.	Aug. 1922.	Serbs, Croats		Republic.
* Japan.	4- 8- 26.	Netherlands.	14- 2- 22.	and Slovenes.		Ethiopia.
* Norway.	1- 12- 26.	New Zealand.	1923.	South Africa.		Greece.
Sweden.	5- 7- 21.	Roumania.	1922.	Spain.		Guatemala.
Switzerland.	2- 3- 22; 16- 1- 26.	Siam.	1922.	Uruguay.		Honduras.
		Venezuela.	1922.			Hungary.
						Irish Free State.
						Liberia.
						Nicaragua.
						Panama.
						Paraguay.
						Persia.
						Peru.
						Portugal.
						Salvador.

## III. National Seamen's Codes.

Australia.	28- 8- 24.	Argentina.	8- 9- 21.	Belgium.		Albania.
Bulgaria.	10- 3- 23.	Austria.	20- 11- 23.	Czechoslovakia.		Bolivia.
Canada.	4- 6- 21.	Cuba.	17- 1- 22.	Denmark.		Brazil.
Chili.	1- 7- 21.	Finland.	9- 12- 21.	Haiti.		China.
* Esthonia.	15- 5- 26.	Great Britain.	8- 11- 21.	Latvia.		Colombia.
France.	2- 4- 24.	Lithuania.	Aug. 1922.	Luxemburg.		Dominican
* Germany.	12- 8- 26.	Netherlands.	14- 2- 22.	Poland.		Republic.
India.	7- 3- 22.	New Zealand.	1923.	Kingdom of the		Ethiopia.
Italy.	5- 1- 22.	Roumania.	1922.	Serbs, Croats		Greece.
* Japan.	4- 8- 26.	Siam.	1922.	and Slovenes.		Guatemala.
* Norway.	1- 12- 26.	Venezuela.	1922.	South Africa.		Honduras.
Sweden.	5- 7- 21.			Spain.		Hungary.
Switzerland.	2- 3- 22.					Irish Free State.
						Liberia.
						Nicaragua.
						Panama.
						Paraguay.
						Persia.
						Peru.
						Portugal.
						Salvador.
						Uruguay.

<sup>(1)</sup> Proposal lapsed.



## (B) SECOND SESSION (GENOA, 15 June-10 July 1920) (contd.).

## Recommendations.

## IV. Unemployment Insurance (Seamen).

\* = Information received since last Report.

(a)		(b)		(c)		(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).		States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.		States which have supplied other official information.		States which have supplied no official information.
Australia.	28- 8- 24.	Argentina.	8- 9- 21.	Belgium.		Albania.
Bulgaria.	10- 3- 23.	Austria.	20- 11- 23.	Czechoslovakia.		Bolivia.
Canada.	4- 6- 21.	Cuba.	17- 1- 22.	Denmark.		Brazil.
Chili.	1- 7- 21.	Finland.	9- 12- 21.	Haiti.		China.
* Esthonia.	15- 5- 26.	Great Britain.	8- 11- 21.	Latvia.		Colombia.
France.	2- 4- 24.	Lithuania.	Aug. 1922.	Luxemburg.		Dominican
* Germany.	12- 8- 26.	Netherlands.	14- 2- 22.	Poland.		Republic.
India.	7- 3- 22.	New Zealand.	1923.	Kingdom of the		Ethiopia.
Italy.	5- 1- 22.	Roumania.	1922.	Serbs, Croats		Greece.
* Japan.	4- 8- 26.	Siam.	1922.	and Slovenes.		Guatemala.
* Norway.	1- 12- 26.	Venezuela.	1922.	South Africa.		Honduras.
Sweden.	5- 7- 21.			Spain.		Hungary.
Switzerland.	2- 3- 22.					Irish Free State.
						Liberia.
						Nicaragua.
						Panama.
						Paraguay.
						Persia.
						Peru.
						Portugal.
						Salvador.
						Uruguay.

## (C) THIRD SESSION, (GENEVA, 25 October-19 November 1921).

## Recommendations.

## I. Unemployment (Agriculture).

\* = Information received since last Report.

(a)		(b)		(c)		(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).		States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.		States which have supplied other official information.		States which have supplied no official information.
Australia <sup>(1)</sup> .		Austria.	10- 9- 23.	Albania.		Argentina.
* Belgium.	2- 3- 27-	Brazil.	7- 12- 22.	Czechoslovakia.		Bolivia.
Bulgaria.	5- 3- 25.	Canada.	23- 3- 23.	Denmark.		Colombia.
* Esthonia.	15- 5- 26.	Chili.	7- 8- 24.	India.		Dominican
Finland.	2- 4- 24.	China.	1923.	Latvia.		Republic.
France.	15- 4- 24.	Cuba.	31- 8- 22.	Lithuania.		Ethiopia.
Italy.	16- 1- 26.	Germany <sup>(2)</sup> .	18- 5- 23.	Roumania.		Greece.
* Japan.	4- 8- 26.	Great Britain.	9- 5- 23.	Kingdom of the		Guatemala.
* Norway.	1- 12- 26.	Hungary.	13- 3- 24.	Serbs, Croats		Haiti.
Poland.	7- 6- 23.	Netherlands.	22- 6- 23.	and Slovenes.		Honduras.
Siam.	21- 8- 22.	New Zealand.	1923.	Spain.		Irish Free State.
* Sweden.	13- 11- 23.	South Africa.	1923.	Uruguay.		Liberia.
Switzerland.	22- 5- 23; 16- 1- 26.	Venezuela.	1923.			Luxemburg.
						Nicaragua.
						Panama.
						Paraguay.
						Persia.
						Peru.
						Portugal.
						Salvador.

<sup>(1)</sup> The Prime Minister of Australia has communicated to the Secretary-General of the League of Nations information supplied by certain States of the Commonwealth on the subject of measures giving effect to the Recommendations which fall within the competence of the States:— Western Australia, 11. 9. 25; New South Wales, 1. 5. 25; Queensland, 1. 5. 25; Tasmania, 1. 5. 25; Victoria, 1. 5. 25.

<sup>(2)</sup> Proposal lapsed.

## (C) THIRD SESSION (GENEVA, 25 Oct.-19 Nov. 1921) (contd.).

## Recommendations.

## II. Childbirth (Agriculture).

\* Information received since last Report.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information	States which have supplied no official information.
Australia <sup>(1)</sup> . Bulgaria. 5- 3- 25. * Esthonia. 15- 5- 26. France. 15- 4- 24. Italy. 16- 1- 26. * Japan. 4- 8- 26. * Norway. 1- 12- 26. Poland. 7- 6- 23. Siam. 21- 8- 22. * Sweden. 13- 11- 23. Switzerland. 22- 5- 23 ; 16- 1- 26.	Austria. 10- 9- 23. Brazil. 7- 12- 22. Canada. 23- 3- 23. Chili. 7- 8- 24. China. 1923. Cuba. 31- 8- 22. Finland. 20- 10- 22. Germany <sup>(2)</sup> . 18- 5- 23. Great Britain. 9- 5- 23. Hungary. 13- 3- 24. India. 1923. Netherlands. 22- 6- 23. New Zealand. 1923. South Africa. 1923. Venezuela. 1923.	Albania. Czechoslovakia. Denmark. Latvia. Lithuania. Roumania. Kingdom of the Serbs, Croats and Slovenes. Spain. Uruguay.	Argentina. Belgium. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

## III. Night Work Women (Agriculture).

Australia <sup>(1)</sup> . Bulgaria. 5- 3- 25. Czechoslovakia. 24- 10- 25. * Esthonia. 15- 5- 26. France. 15- 4- 24. Great Britain. 19- 3- 24. Italy. 16- 1- 26. * Japan. 4- 8- 26. * Norway. 1- 12- 26. Poland. 7- 6- 23. Siam. 21- 8- 22. * Sweden. 13- 11- 23. Switzerland. 22- 5- 23 ; 16- 1- 26.	Austria. 10- 9- 23. Brazil. 7- 12- 22. Canada. 23- 3- 23. Chili. 7- 8- 24. China. 1923. Cuba. 31- 8- 22. Finland. 20- 10- 22. Germany <sup>(2)</sup> . 18- 5- 23. Hungary. 13- 3- 24. India. 1923. Netherlands. 22- 6- 23. New Zealand. 1923. South Africa. 1923. Venezuela. 1923.	Albania. Denmark. Latvia. Lithuania. Roumania. Kingdom of the Serbs, Croats and Slovenes. Spain. Uruguay.	Argentina. Belgium. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<sup>(1)</sup> See Note 1 on preceding page.<sup>(2)</sup> Proposal lapsed.



(C) THIRD SESSION (GENEVA, 25 Oct.-19 Nov. 1921) (*contd.*).

## Recommendations.

## IV. Night Work Young Persons (Agriculture). \* = Information received since last Report

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia <sup>(1)</sup> . Bulgaria. 5- 3- 25. Czechoslovakia. 24- 10- 25. * Esthonia. 15- 5- 26. France. 15- 4- 24. Italy. 16- 1- 26. * Japan. 4- 8- 26. * Norway. 1- 12- 26. Poland. 7- 6- 23. Siam. 21- 8- 22. * Sweden. 13- 11- 23. Switzerland. 22- 5- 23 ; 16- 1- 26.	Austria. 10- 9- 23. Brazil. 7- 12- 22. Canada. 23- 3- 23. Chili. 7- 8- 24. China. 1923. Cuba. 31- 8- 22. Finland. 20- 10- 22. Germany <sup>(2)</sup> . 18- 5- 23. Great Britain. 9- 5- 23. Hungary. 13- 3- 24. India. 1923. Netherlands. 22- 6- 23. New Zealand. 1923. South Africa. 1923. Venezuela. 1923.	Albania. Denmark. Latvia. Lithuania. Roumania. Kingdom of the Serbs, Croats and Slovenes. Spain. Uruguay.	Argentina. Belgium. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

## V. Technical Agricultural Education.

Australia <sup>(1)</sup> . * Belgium. 2- 3- 27. Bulgaria. 5- 3- 25. Czechoslovakia. 24- 10- 25. * Esthonia. 15- 5- 26. Finland. 2- 4- 24. France. 15- 4- 24. Italy. 16- 1- 26. * Japan. 4- 8- 26. * Norway. 1- 12- 26. Poland. 7- 6- 23. Roumania. 1- 4- 25. Siam. 21- 8- 22. * Sweden. 13- 11- 23. Switzerland. 22- 5- 23 ; 16- 1- 26.	Austria. 10- 9- 23. Brazil. 7- 12- 22. Canada. 23- 3- 23. Chili. 7- 8- 24. China. 1923. Cuba. 31- 8- 22. Germany <sup>(2)</sup> . 18- 5- 23. Great Britain. 9- 5- 23. Hungary. 13- 3- 24. Netherlands. 22- 6- 23. New Zealand. 1923. South Africa. 1923. Venezuela. 1923.	Albania. Denmark. India. Latvia. Lithuania. Kingdom of the Serbs, Croats and Slovenes. Spain. Uruguay.	Argentina. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<sup>(1)</sup> See Note 1 page 90.<sup>(2)</sup> Proposal lapsed.

(C) THIRD SESSION (GENEVA, 25 Oct.-19 Nov. 1921) (contd.).

Recommendations.

VI. Living-in Conditions (Agriculture). \* = Information received since last Report.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia <sup>(1)</sup> . * Belgium. 2- 3- 27. Bulgaria. 5- 3- 25. * Esthonia. 15- 5- 26. France. 15- 4- 24. Italy. 16- 1- 26. * Japan. 4- 8- 26. * Norway. 1- 12- 26. Poland. 7- 6- 23. Siam. 21- 8- 22. Sweden. 13- 11- 23. Switzerland. 22- 5- 23 ; 16- 1- 26.	Austria. 10- 9- 23. Brazil. 7- 12- 22. Canada. 23- 3- 23. Chili. 7- 8- 24. China. 1923. Cuba. 31- 8- 22. Finland. 20- 10- 22. Germany <sup>(2)</sup> . 18- 5- 23. Great Britain 9- 5- 23. Hungary. 13- 3- 24. India. 1923. Netherlands. 22- 6- 23. New Zealand. 1923. South Africa. 1923. Venezuela. 1923.	Albania. Czechoslovakia. Denmark. Latvia. Lithuania. Roumania. Kingdom of the Serbs, Croats and Slovenes. Spain. Uruguay.	Argentina. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

VII. Social Insurance (Agriculture).

Australia <sup>(1)</sup> . * Belgium. 2- 3- 27. Bulgaria. 5- 3- 25. Czechoslovakia. 24- 10- 25. * Esthonia. 15- 5- 26. France. 15- 4- 24. * Germany. 9- 8- 26. Italy. 16- 1- 26. * Japan. 4- 8- 26. * Norway. 1- 12- 26. Poland. 7- 6- 23. Siam. 21- 8- 22. * Sweden. 13- 11- 23. Switzerland. 22- 5- 23 ; 16- 1- 26.	Austria. 10- 9- 23. Brazil. 7- 12- 22. Canada. 23- 3- 23. Chili. 7- 8- 24. China. 1923. Cuba. 31- 8- 22. Finland. 20- 10- 22. Great Britain. 9- 5- 23. Hungary. 13- 3- 24. India. 1923. Netherlands. 22- 6- 23. New Zealand. 1923. South Africa. 1923. Venezuela. 1923.	Albania. Denmark. Latvia. Lithuania. Roumania. Kingdom of the Serbs, Croats and Slovenes. Spain.	Argentina. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador. Uruguay.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<sup>(1)</sup> See Note <sup>(1)</sup> page 90.  
<sup>(2)</sup> Proposal lapsed.



## (C) THIRD SESSION (GENEVA, 25 Oct.-19 Nov. 1921) (contd.).

## Recommendations.

## VIII. Weekly Rest in Commerce.

\* = Information received since last Report.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia <sup>(1)</sup> . Belgium. 6- 7- 25. Bulgaria. 5- 3- 25. Czechoslovakia. 24- 10- 25. * Estonia. 15- 5- 26. Finland. 2- 4- 24. France. 15- 4- 24. India. 30- 10- 22. Italy. 16- 1- 26. * Japan. 4- 8- 26. * Norway. 1- 12- 26. Poland. 7- 6- 23. Roumania. 1- 4- 25. Siam. 21- 8- 22. * Sweden. 13- 11- 23. Switzerland. 22- 5- 23; 16- 1- 26.	Austria. 10- 9- 23. Brazil. 7- 12- 22. Canada. 23- 3- 23. Chili. 7- 8- 24. China. 1923. Cuba. 31- 8- 22. Germany <sup>(2)</sup> . 18- 5- 23. Great Britain. 9- 5- 23. Hungary. 13- 3- 24. Netherlands. 22- 6- 23. New Zealand. 1923. South Africa. 1923. Venezuela. 1923.	Albania. Denmark. Latvia. Lithuania. Kingdom of the Serbs, Croats and Slovenes. Spain. Uruguay.	Argentina. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Luxemburg. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

## (D) FOURTH SESSION (GENEVA, 18 Oct.-3 Nov. 1922).

## Recommendation.

## Emigration Statistics.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia . 2- 6- 25. Belgium. 18- 6- 25. Canada. 29- 11- 23. Czechoslovakia. 21- 3- 25. * Estonia. 15- 5- 26. Finland. 15- 4- 24. France. 26- 4- 24. * Hungary. 30- 4- 26. India. 20- 11- 23. Italy. 14- 8- 25. * Norway. 1- 12- 26. Japan. 9- 4- 24. Poland. 25- 7- 23. Roumania. 1- 4- 25. Siam. 2- 4- 23. South Africa. 27- 4- 23. Spain. 15- 4- 25. Sweden. 23- 12- 25. Switzerland. 22- 5- 23; 16- 1- 26.	Austria. 9- 1- 24. Bulgaria. 1924. Chili. 7- 8- 24. Great Britain. 9- 5- 23. Latvia. 24- 1- 24. Netherlands. 24- 10- 23. Venezuela. 30- 6- 24.	Brazil. Cuba. Denmark. Germany. Luxemburg. New Zealand. Kingdom of the Serbs, Croats and Slovenes. Uruguay.	Albania. Argentina. Bolivia. China. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Irish Free State. Liberia. Lithuania. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

<sup>(1)</sup> See Note <sup>(1)</sup> page 90.<sup>(2)</sup> Proposal lapsed.

(E) FIFTH SESSION (GENEVA, 22-29 October 1923).

Recommendation.

Organisation of Systems of Inspection. \* = Information received since last Report.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia <sup>(1)</sup> . Belgium. 6- 11- 24. Bulgaria. 23- 1- 25. Czechoslovakia. 19- 11- 25. Esthonia. 18- 9- 25. Finland. 21- 1- 26. France. 22- 1- 25. Great Britain. 6- 8- 24. India. 20- 3- 24. Irish Free State. 29- 10- 25. Italy. 16- 1- 26. Japan. 18- 9- 25. * Norway. 1- 12- 26. Poland. 13- 5- 25. Roumania. 1- 4- 25. Siam. 20- 3- 24. South Africa. 24- 4- 24. Sweden. 23- 12- 25. Switzerland. 6 3- 25.	Austria. 18- 2- 25. Brazil. Aug. 1924. Canada. 3- 3- 24. Chili. 7- 8- 24. China. 1925. Cuba. 31- 10- 24. Germany. 1925. Hungary. 28- 11- 24. Netherlands. 4- 11- 24. New Zealand. 1925. Venczuela. 19- 4- 24.	Albania. Denmark. Luxemburg. Kingdom of the Serbs, Croats and Slovenes. Spain. Uruguay.	Argentina. Bolivia. Colombia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Latvia. Liberia. Lithuania. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador.

<sup>(1)</sup> The Prime Minister of Australia has communicated to the Secretary-General of the League of Nations information supplied by certain States of the Commonwealth on the subject of measures giving effect to the Recommendation, which falls within the competence of the States :— Western Australia, 1. 5. 25 ; New South Wales, 1. 5. 25 ; Queensland, 1. 5. 25 ; Tasmania, 1. 5. 25 ; Victoria, 1. 5. 25.

(F) SIXTH SESSION (GENEVA, 16 June-5 July 1924).

Recommendation.

Workers' Spare Time.

(a)	(b)	(c)	(d)
Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	States which have supplied other official information.	States which have supplied no official information.
Australia <sup>(1)</sup> . * Belgium. 5- 11- 26. Canada. 17- 3- 26. * Finland. 5- 8- 26. * France. 5- 1- 27. Great Britain. 27- 7- 25. * Germany. 6- 1- 27. India. 2- 12- 24. Irish Free State. 27- 3- 25. Italy. 16- 1- 26. Japan. 8- 3- 26. Norway. 17- 9- 25. Poland. 1- 3- 26. Siam. 4- 3- 25. South Africa. 2- 6- 25. Spain. 28- 7- 25. Sweden. 20- 10- 25. Switzerland. 26- 8- 25.	Austria. Dec. 1925. Cuba. 3- 11- 25. Denmark. 23- 2- 25. Hungary. 8- 7- 25. Netherlands. 4- 5- 25. Venczuela. 1925.	Argentina. Chili. China. Esthonia. Luxemburg. Roumania. Uruguay.	Albania. Bolivia. Brazil. Bulgaria. Colombia. Czechoslovakia. Dominican Republic. Ethiopia. Greece. Guatemala. Haiti. Honduras. Latvia. Liberia. Lithuania. New Zealand. Nicaragua. Panama. Paraguay. Persia. Peru. Portugal. Salvador. Kingdom of Serbs, Croats and Slovenes.

<sup>(1)</sup> The Prime Minister of Australia has communicated to the Secretary-General of the League of Nations information supplied by certain States of the Commonwealth on the subject of measures giving effect to the Recommendation, which falls within the competence of the States :— Western Australia, 27. 10. 25 ; South Australia 3. 5. 26 ; New South Wales, 21. 1. 26 ; Queensland, 2. 7. 25 ; Victoria, 17. 9. 25.



## (G) SEVENTH SESSION (GENEVA, 19 May-10 June 1925).

## Recommendations.

## I. Minimum scale of workmen's compensation.

\* = Information received since last Report.

(a) Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	(b) States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	(c) States which have supplied other official information.	(d) States which have supplied no official information.
* Australia <sup>(1)</sup> . Belgium. * France. * Great Britain. * India. * Japan. Luxemburg. * Netherlands. * Norway. * Poland. * Sweden.	Sept. 1926. 10- 12- 25. 8- 12- 26. 4- 10- 26. 9- 9- 26. 31- 12- 26. 20- 2- 26. 12- 2- 27. 1- 12- 26. 15- 2- 27. 8- 9- 26.	* Austria. * Brazil. * Denmark. Finland. * Germany. * Irish Free State. * Italy. * New Zealand. * Portugal. South Africa. * Switzerland.	3- 12- 26. 1927. 1925. 13- 3- 26. 1926. 28- 5- 26. 15- 12- 26. 1927. 1926. 1925. 7- 6- 26.
		Canada. Cuba. * Czechoslovakia. Esthonia. * Greece. * Latvia. * Nicaragua. Uruguay.	All the other States Members.

## II. Jurisdiction in disputes on workmen's compensation.

* Australia <sup>(1)</sup> . Belgium. * France. * Great Britain. * India. * Japan. Luxemburg. * Netherlands. * Norway. * Poland. * Sweden.	Sept. 1926. 10- 12- 25. 8- 12- 26. 4- 10- 26. 9- 9- 26. 31- 12- 26. 20- 2- 26. 12- 2- 27. 1- 12- 26. 15- 2- 27. 8- 9- 26.	* Austria. * Brazil. * Denmark. Finland. * Germany. * Irish Free State. * Italy. * New Zealand. * Portugal. South Africa. * Switzerland.	3- 12- 26. 1927. 1925. 13- 3- 26. 1926. 28- 5- 26. 15- 12- 26. 1927. 1926. 1925. 7- 6- 26.	Canada. Cuba. * Czechoslovakia. Esthonia. * Greece. * Latvia. * Nicaragua. Uruguay.	All the other States Members.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------	-------------------------------

## III. Workmen's compensation for occupational diseases.

* Australia <sup>(1)</sup> . Belgium. * France. * Great Britain. * India. * Japan. Luxemburg. * Netherlands. * Norway. * Poland. * Sweden.	Sept. 1926. 10- 12- 25. 8- 12- 26. 4- 10- 26. 9- 9- 26. 31- 12- 26. 20- 2- 26. 12- 2- 27. 1- 12- 26. 15- 2- 27. 8- 9- 26.	* Austria. * Brazil. * Denmark. Finland. * Germany. * Irish Free State. * Italy. * New Zealand. * Portugal. South Africa. * Switzerland.	3- 12- 26. 1927. 1925. 13- 3- 26. 1926. 28- 5- 26. 15- 12- 26. 1927. 1926. 1925. 7- 6- 26.	Canada. Cuba. * Czechoslovakia. Esthonia. * Greece. * Latvia. * Nicaragua. Uruguay.	All the other States Members.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------	-------------------------------

## IV. Equality of treatment for national and foreign workers as regard workmen's compensation for accidents.

* Australia <sup>(1)</sup> . Belgium. * France. * Great Britain. * India. * Japan. Luxemburg. * Netherlands. * Norway. * Poland. * Sweden.	Sept. 1926. 10- 12- 25. 8- 12- 26. 4- 10- 26. 9- 9- 26. 31- 12- 26. 20- 2- 26. 12- 2- 27. 1- 12- 26. 15- 2- 27. 8- 9- 26.	* Austria. * Brazil. * Czechoslovakia. * Denmark. Finland. * Germany. * Irish Free State. * Italy. * New Zealand. * Portugal. South Africa. * Switzerland.	3- 12- 26. 1927. 1926. 1925. 13- 3- 26. 1926. 28- 5- 26. 15- 12- 26. 1927. 1926. 1925. 7- 6- 26.	Canada. Cuba. Esthonia. * Greece. * Latvia. * Nicaragua. Uruguay.	All the other States Members.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------	-------------------------------

<sup>(1)</sup> All the States except Victoria.

(H) EIGHTH SESSION (GENEVA, 26 May-5 June 1926).

Recommendation.

I. Protection of emigrants women and girls on board ship.

\* = Information received since last Report.

(a) Communication of action taken to the Secretary-General of the League of Nations and date of communication (§ 6).	(b) States which have officially intimated that the Recommendation has been submitted to the "competent authority" (§ 5) and date of submission.	(c) States which have supplied other official information.	(d) States which have supplied no official information.
Sweden. 19- 4- 27.	* Cuba. 1927. * Denmark 8- 10- 26.	* Argentina.	All the other States Members.

(I) NINTH SESSION (GENEVA, 7-24 June 1926).

Recommendations.

I. Repatriation of masters and apprentices.

\* = Information received since last Report.

* Cuba. 1927. * Denmark. 8- 10- 26.	* Argentina.	All the other States Members.
----------------------------------------	--------------	-------------------------------

II. General principles for the inspection of the conditions of work of seamen.

* Cuba. 1927. * Denmark. 8- 10- 26.	* Argentina.	All the other States Members.
----------------------------------------	--------------	-------------------------------



111. — The first conclusion to be drawn from these tables is that, in spite of the Office's repeated interventions, a certain number of States do not seem yet to have taken any measures to submit the Draft Conventions and Recommendations adopted at a number of the sessions of the Conference to their competent authorities.

It is recognised that the majority of the Conventions, which are based on the economic and social conditions in countries with advanced legislation, cannot be applied without difficulty to countries where industrial organisation is still little developed. The Office is therefore not surprised that some countries in Asia, Africa and even Latin America have never informed it of the effect given by them to the Conventions. For similar reasons the Office has not been exacting in pressing for having maritime Conventions laid before Parliament in countries which only have land frontiers. But there are industrial countries, including some of the most important, which have not yet discharged in regard to a number of Conventions any of the obligations of Article 405. The reasons for this default on the part of some Governments are to be found in the slowness of administrative procedure, in lack of liaison between the departments which have to join in submitting certain Bills to Parliament, and in reluctance to present to Parliament Draft Conventions which it is not desired to recommend for ratification. The Office will not lose any opportunity of impressing upon these Governments the necessity of discharging the obligations which Article 405, paragraph 5, of the Treaty imposes on them.

In the second place, a number of Bills for the ratification of Conventions have lapsed in some countries, and have not been re-introduced in some instances, either because the Governments consider that they are free from any obligation for the future as they have brought the Conventions before Parliament in accordance with Article 405, or because political changes which have taken place in the composition of Parliament make it no longer possible to consider ratification. This is a situation the seriousness of which will not be lost on the Conference. The question will no doubt arise whether it should be considered that the obligations of Article 405, paragraph 5, have been fulfilled when Parliament has not had a real chance of giving a decision. It would seem that to communicate the decisions of the Conference to Parliament would be a mere formality without any practical effect if, for example, the obligations of the Treaty could be discharged by presenting to Parliament at the end of a session texts on which Parliament will not materially have the time to make a pronouncement. When the authors of Part XIII provided that the decisions of the Conference are to be submitted to the competent authorities, they clearly

intended that public opinion in each country should be given an opportunity to express its views through the medium of Parliament.

Moreover, in this analysis of the work of ratification the question again inevitably suggests itself whether the drafting of Conventions is really such as to facilitate their prompt ratification, and whether the preparation of the Conference is properly adapted to secure this final result. This has been an open question since the Washington Conference. Some have endeavoured to find a solution in Conventions "of principle", which only impose general obligations and leave the methods of application to the different States. Others have entertained ideas of new machinery for amending Conventions. A solution seems to have been found in the double discussion procedure. The origins and method of working of this procedure have already been explained (c.f. § 23) and need not be further referred to here. The value of the procedure should not perhaps be exaggerated. It would, however, seem that it will give an opportunity for bringing out the general requirements of the Governments in the first discussion and the special features in their respective positions, and that the result should be Conventions which are more elastic, more adapted to the different countries, and more easy for them to ratify. In any case, the Office can feel that it has not neglected any means for removing these difficulties of drafting, exaggerated in some cases, but real difficulties in others, which have been used from time to time as arguments against ratification.

One definite reservation must be made, however. It is not always drafting difficulties which have been invoked in the past. Governments, especially those which have a system for the protection of the workers which has been in force for the last half century, see an obstacle to ratification in the "incompatibility" between a national system which is firmly based on tradition and an international system which is settled by Conventions. Countries with less advanced social legislation, again, find it difficult to imagine a Convention which would go further than generalising the standard of protection attained in countries where industrial organisation is still little developed. The first discussion which, under the double discussion procedure, will bear on the general principles of a Convention will not suffice, in the Office's opinion, to reconcile the systems in force in the different countries and to find a mean susceptible of being generally accepted. These difficulties can only be surmounted by securing increasingly fuller information of the facts and by a growing experience of international life.

112. — In past years the work of ratification was held up by still further difficulties. The new principles which Article 405 introduced into international law were



considered by some States to be opposed to the traditional diplomatic methods. These objections, however, have been definitely removed. There is now no longer any need, as had to be done in previous years, to dissect, explain and comment on the machinery which the authors of Part XIII set up to render operative the provisions framed in favour of the workers. No fundamental difficulty of procedure was raised during 1926.

Though numerous communications were addressed to the Office by the different States on the subject of the measures taken to give effect to the decisions adopted by the Conference at its last sessions, the only one which might perhaps call for mention is one from the Czechoslovak Government which seemed to suggest that this Government still had a wrong impression of the meaning of the words "competent authorities". But no doubt there is a misunderstanding in this case. If this Government, which has so far scrupulously discharged its obligations and has ratified a considerable number of Conventions, can consider the Council of Ministers as the competent authority to have Conventions adopted by the Conference submitted to it in the first instance for its decision as to the measures to be suggested to Parliament, this can only be an administrative method preliminary to putting in motion the procedure laid down in Article 405. But, it must be clearly stated, in any case and whatever its opinion as to the effect to be given to any Convention, the Government is bound to bring the Convention before the authority which gives its assent to ratification. It is clear that such assent can only be given by the authority which is competent to bring national legislation into line with the Draft Convention, i.e. Parliament. This interpretation is to-day universally accepted.

The fact is, then, that few formal difficulties now arise on the drafting of Conventions or in regard to the procedure for ratification. Perhaps they would have completely disappeared if the Governing Body had thought that it could, as the Office has so often suggested in the past, exercise the power of giving interpretations. As has been pointed out in previous Reports, the Office simply gives information on the wording of Conventions which does not in any way commit it, but which nevertheless has in many circumstances helped Governments in their decisions. The most important requests for the Office's opinion which were received during 1926 are mentioned below.

#### *First Session (Washington, 1919)*

##### *Recommendation concerning unemployment.*

In a letter dated 6 August 1926, the *Luxemburg* Government asked the Office

whether the recruiting of bodies of workers to which Article II of the above Recommendation refers applied only to recruiting carried out by the State or whether it applied also to recruiting carried out by private organisations or individuals.

#### *Third Session (Geneva, 1921)*

##### *Convention concerning the application of the weekly rest in industrial undertakings*

In a letter dated 23 August 1926, the *Danish* Department for international co-operation in social politics asked the Office to consider whether the provisions of the legislation in force complied with the requirements of the above Convention.

##### *Convention concerning the age for admission of children to employment in agriculture.*

In a letter dated 18 September 1926 the *Netherlands* Government asked the Office whether the meaning of Article I of the above Convention was simply to prohibit the employment in agricultural work of children compelled to attend school.

#### *Seventh Session (Geneva, 1925)*

##### *Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents.*

In a letter dated 23 June 1926, the delegate of the *Japanese* Government to the Governing Body of the International Labour Office put the following questions to the Office:

- (1) Supposing no special agreement has been concluded between the Members concerned in regard to the compensation for accidents which is provided for in Article II of the above Convention, do the laws and regulations of the country where the accident took place apply in virtue of the principles laid down in Article 1?
- (2) Supposing an industrial accident takes place on a foreign ship during its stay in the territorial waters of another country, do the laws and regulations of this latter country apply as a general rule and do the laws and regulations of the country whose flag the ship flies only apply if special agreements exist between the two countries?

To sum up, the whole work of ratification, it is considered, depends above all and essentially on the political, economic, and psychological circumstances which determine the attitudes of the different



States. At the moment at least the organic reforms which might be introduced hardly seem calculated to make any profound changes in this situation.

113. — As has been so often pointed out, however, the real influence and effect of the International Labour Organisation cannot only be measured by the number of ratifications obtained. Account must always be taken of the extent to which Conventions or Recommendations, once they have been discussed and adopted by the Conference, stimulate legislation or reform inside the different countries. First of all, regard must be had to the application measures which are taken in the different fields either to give effect to the Conventions and Recommendations or to bring about at least partially the social reforms for which they make provision. In previous Reports an attempt was made to give a comprehensive list of these measures; but it has now been considered more expedient to refer to the respective measures in the individual subsections which follow. This method will make it easier to form an idea of the value of the progress which has been made on each particular topic of social reform. By the continual legislative work which these measures represent, and which is completed by the depositing of ratifications, the principles enshrined in the Treaty of Peace are progressively being translated into actual fact for the welfare of the workers.

114. — But the most urgent problem which is continually recurring is the problem of application. In the important industrial States an objection is repeatedly made, which appears to have some force, when the Government is thinking of ratifying a particular Convention. It is said "We apply the Convention. Is it certain that other States will apply it, even if they ratify it?" The reply has often been made by the Office that the application of a Convention will be extended and made more strict by the working of the machinery provided for in the Treaty of Peace, i.e. representations from industrial organisations and complaints by the injured States. It is none the less true, and recent facts have shown this, that such complaints have a foundation. Every year more scrupulous attention must be paid to developing the supervision of the application of Conventions.

(1) It is essential that the different States should scrupulously observe the obligation which they have entered into to send each year to the International Labour Office the reports provided for in Article 408. It is also essential, if these reports are to be made proper use of, that they should be sent to the Office as early as possible and not, as in the case of some of the reports sent in this year, only a

few weeks before the opening of the Conference.

(2) It is essential that a real use should be made of the reports, and that they should be dealt with for the purpose of mutual control. In the discussion on the Director's Report at the Conference an extremely interesting exchange of views has always taken place between the representatives of the different States on the activities and general working of the Organisation. Constitutionally, this discussion should have been specially devoted to consideration of the reports sent in by the Governments on each of the Conventions ratified by them. To help to secure a discussion of this kind and, in accordance with the spirit of the Treaty of Peace, to enable a comparison to be made of the application methods adopted in the different countries, the Conference decided at its 8th Session to set up a committee to examine the summaries of the reports. To prepare for this work at this year's session, the Conference invited the Governing Body to appoint, as an experiment and for a period of one, two or three years, "a technical committee of experts, consisting of six or eight members, for the purpose of making the best and fullest use of this information (contained in the reports presented under Article 408) and of securing such additional data as may be provided for in the forms approved by the Governing Body and found desirable to supplement that already available, and of reporting thereon to the Governing Body, which report the Director, after consultation with the Governing Body, will annex to his summary of the annual reports presented to the Conference under Article 408."

At the head of the Committee's report will be found the necessary information as to its terms of reference and its composition. Here is sufficient to draw attention to the progress which its work may produce.

Without such an accurate comparison of the application of Conventions in the different countries the work of the Organisation would remain theoretical: international labour legislation would only exist on paper, and, what is more, ratifications would very soon be discouraged.

(3) Such a comparison, however, is still only the beginning of real supervision. The discussions in the Conference itself have no immediate sanction behind them. They may lead to an interpretation or a revision of Conventions. They cannot directly effect the strict application of a Convention which has been ratified if the State whose methods are criticised does not amend them of its own accord.

The only methods which can be effective are the procedures of representation and complaint provided for in Articles 409 and following of the Treaty of Peace. In 1924 reference was made to the action



taken by Japanese seamen in regard to the application of the Unemployment Convention. Since then no further action of this kind has been taken. Is this to be regarded as implying that the Conventions are everywhere strictly applied? As a matter of fact, in most cases when Governments ratify they have already brought their legislation into line with the provisions of the Conventions. No doubt there are exceptions. But it is clear that there are various difficulties which may prevent industrial organisations from setting in motion the procedure of representation. Besides, the time has perhaps not yet come when the different States will have brought home to them afresh the importance of working conditions in international competition and will pay more attention to this factor than to any other in their external relations.

The Office has never had the ingenuous idea that by the magic of the written word the whole machinery provided for in the Treaty of Peace can be set going at one stroke, and that within so short a time of the foundation of the Organisation the States which are mutually bound by Conventions will severely supervise one another and set to work the different procedures provided for, including even decisions of the Court of Justice and economic sanctions. These different procedures will only be set going, when the time comes for their use, by the development of international life. It is already a considerable result to find that, regardless of contractual obligations, real and tangible progress has been produced by the resolutions of the Conference. It would be difficult to exaggerate the moral influence exercised by the authority of these annual meetings or the persevering work of the Office. The 23 Conventions and 28 Recommendations adopted at the 9 sessions of the Conference have already, to some extent, carried into practical operation a considerable number of the principles formulated in the Treaty.

But this is not enough. To increase the results obtained, to make mutual supervision a reality, and to ensure that Conventions are strictly applied requires a continued effort of will. It is imperative that all the Governments of the States Members of the Organisation should apply themselves systematically to keep all the parts of the machinery of the Organisation running. Meanwhile, the movement for social reform is already so strong in all its departments and the work of investigation and organisation has already been carried so far that this will to organisation has been aroused and stimulated in all the Governments. This will be shown by the survey given below of the progress made on the individual topics of social reform.

### *Hours of work.*<sup>1</sup>

115. — The story of the Eight-Hours Convention is a chapter of incidents and vicissitudes, but it is rich in lessons for the future.

The Office has sometimes been criticised for concentrating too exclusively on the ratification of this Convention and perhaps unwisely linking with its fate the future of the Organisation. But the fact is that the very difficulties and trials which this Convention causes to the Office are defining and consolidating the methods best calculated to secure the establishment of international labour legislation.

Last year's Report described how the movement of ideas which began at the 1924 Session of the Conference had led to a meeting of Labour Ministers at Berne, how this meeting had not succeeded in inducing the Governments of the important industrial countries immediately to set in motion the procedure for ratification, how, during the 1925 Session of the Conference, Great Britain undertook to call a further meeting of Labour Ministers and how this meeting was held in London from 15 to 19 March 1926. The conclusions at which this meeting arrived were given in last year's Report, with observations on their scope and limitations. As was pointed out, these conclusions could no doubt hardly be treated as clauses of a new protocol further to or in substitution for the clauses in the Washington Convention. No doubt, they only affected the States represented at the London meeting and only bound them, while the States which were not represented at that meeting were free to accept or not accept the suggested interpretations. Further reservations still were made in the Governing Body. Some members refused to take any note whatever of the London conclusions, conclusions, they said, reached at a meeting which to some extent lay outside the International Labour Organisation.

Later, however, when the matter was brought before the 1926 Session of the Conference, both by the information given in the Director's Report and by a proposal submitted by the workers' group, the Conference took note of the London decision, and adopted the following resolution:

The Conference.... takes note of the agreement reached at the Conference of Governments held in London with a view to the ratification of the Eight-Hours Convention, which agreement it regards as a progressive step.

The Conference does not intend to express an opinion on the London interpretations of the

<sup>1</sup> The passages relating to hours of work on board ship, in inland navigation, in the fishing industry, and in agriculture have been included in the special paragraphs dealing with the *protection of seamen* and with *agricultural workers* (§ 175 and 186).



Washington Convention, but, in view of former declarations of the Governments represented at London, simply wishes to place on record that, as far as they are concerned, no objections against ratification now stand.....

At that time there seemed legitimate hopes of early ratification by the Governments which had concluded the London agreement.

In France the Minister of Labour had reported the results of the Conference to the competent Parliamentary Commission. He pressed the Senate to examine the Bill which had already been passed by the Chamber of Deputies, and which approved ratification subject to ratification by Germany. In Belgium, the Minister of Labour, on the strength of the new position in which the London agreement placed him, and in fulfilment of a pledge given by the Cabinet which had just taken office, secured the adoption on 4 June by the Chamber of Deputies, by 116 votes against 3 and 5 abstentions, of the Bill authorising ratification. This Bill contained no conditions or reservations. The telegram which announced this satisfactory news was enthusiastically received by the International Labour Conference.

In Germany, too, the competent Minister, relieved of the doubts which he had expressed from time to time on the interpretation of a number of clauses, had publicly informed the French Minister that the Reichstag would probably have before it in the autumn the completed Bill for the protection of the workers and that this would make ratification possible.

The British Cabinet, however, had not declared its attitude at the time of the 1926 Conference. Since March of that year the menace of the miners' dispute had been claiming all its time and preventing it from taking up for consideration any other big problem.

But the Conference had hardly dispersed before the situation seemed to have been completely changed within a few weeks by one event after another.

In Italy a Decree-Act was passed on 16 June, No. 1096, concerning hours of work. This measure provided that, until further order and by way of exception to Decree-Act No. 692 of 15 March 1923 and the contracts of service relating thereto, all industrial, commercial and agricultural undertakings were authorised to increase the hours of work of their workers and employees by one hour. Observations on this measure, it is true, emphasised that it was of an optional character, and that the undertakings could avail themselves of it or not. It was stated that Regulations drawn up in agreement with the employers' and workers' organisations would settle the methods of applying the new measure. But these same observations seemed to suggest that the ninth hour would not be paid for as an extra hour, but would become part of the normal working day which would

thus consist of nine instead of eight hours.

A few days later, on 8 July, i.e. after the general strike was over but while the miners' dispute was still going on, the British House of Lords passed through its third reading a measure providing for an eight hour instead of a seven hour day in the coalmines. Here again, the Government emphasised that the new Act was of an optional character, and that it was to be the basis of negotiations between the mine-owners and the miners on the question of wages. The Minister of Labour, too, stated that in his view the new Act created no obstacle in the way of ratification of the Washington Convention. Nevertheless, the option which the Act gave to the mine-owners was likely to create an appreciable difference between the system in the British mines and the system in most Continental countries. It was calculated that, if the provisions of the Act were applied, the English miners would work the same number of hours as the miners in Upper Silesia, thirty minutes more than in the Ruhr, and fifty minutes more than the French miners.

In France the financial crisis seemed to create a danger for legislation on the 8-hour day. The report of the Committee of Experts, which was published on 3 July, referred to the necessity of "improving at once the possibilities of the country's production, not by repealing the 8-hour Act but by applying it liberally." It is true that in the Chamber of Deputies the Prime Minister stated that he was in favour of maintaining the 8-hour Act and that he was not entitled to shirk the undertakings which had been given at Washington. The chances of the Senate's voting in favour of ratification, however, seemed relegated to a more distant future.

The feeling caused by these events was naturally rather strong. Communist papers were exultant. They said "The International Labour Office has failed: it must admit its impotence". Opponents more sober but just as strong smiled. The Director found it necessary "to take a reckoning" in the *International Labour Review* to refute exaggeration, define the duties of the Office, and indicate the grounds for its hopes of the future.

A few months later, in October, the Governing Body was naturally called upon to consider the position. Its discussions brought out a number of satisfactory facts.

The Belgian Senate had not faltered but had on 28 July, by 103 votes to 16 and 11 abstentions, passed the Bill for unconditional ratification, and a proposal to make ratification conditional had been rejected by 82 votes against 42 and 5 abstentions.

The British Government's representative on the Governing Body stated that his Government was as much as ever



interested in the question of hours of work, and that the Minister had only been prevented from considering ratification by the general strike and the miners' dispute.

For Italy, Mr. de Michelis and Mr. Olivetti indicated that no Regulations had been issued for putting the Decree-Act of 30 June into operation, that no alteration had been made in the collective agreements concluded by the employers' and workers' organisations, and that in point of fact hours of work had not been increased to nine hours per day. M. de Michelis emphasised that Italy's conditional ratification still stood and that as soon as the countries referred to in the condition had deposited their ratifications Italy would automatically carry out the provisions of the Washington Convention.

The obstacles which it had been feared would hold up the procedure of ratification thus seemed to be much less serious than had been thought at first.

Uncertainty still seemed to subsist, however, as to the intentions of the Governments and the considerations which might influence their final attitude. The workers complained afresh of the delays which they considered all the more inexplicable as the States which had been represented at London had apparently agreed on a common interpretation. Mr. Sokal, the Polish Government's representative, stated that to his mind the results of the London Conference had been very doubtful since they had only been followed up by very small progress. He pointed out that, if ratification was not obtained from the more important industrial countries, it would become difficult for countries like Poland to maintain their 8-hours legislation. He stated, however, that in his view it was still possible to arrive at an international solution, but that attempts must be made to find one without delay. He accordingly suggested that a committee of the Governing Body should be set up to study the situation as a whole, and this proposal was accepted.

The employers' group complained that they had not been represented directly or indirectly at London. They indicated that some of the difficulties which they considered prevented early ratification had not been examined at the meeting of Ministers. The feeling in the other sections of the Governing Body was that, if these difficulties could be smoothed over or removed, either by a detailed discussion which would lead to quasi-official interpretations or by some other procedure, the Governments would have less hesitation in ratifying.

A Committee was accordingly set up in pursuance of the following resolution :

The Governing Body :

After having considered the present position with regard to the ratification of the Washington Eight Hours Convention,

Considering that in spite of the very complete information supplied by the International Labour Office doubt still exists concerning the actual position as regards legislation and the application of the principle of the eight-hour day,

Decides to set up a Committee of twelve of its members, four from each group, in order to :

(1) Determine on the basis of the work carried out by the International Labour Office the actual position in the various States with regard to legislation on hours of work and its application,

(2) Find out what steps have been taken to ratify the Washington Convention and what difficulties stand in the way of ratification by the States Members.

(3) Report to the next session of the Governing Body if any action reinforcing the efforts of the Director is possible which would expedite the progress of ratification.

In spite of the undeniable services which such a Committee could render and of the value of a detailed analysis of the situation, the appointment of the Committee was not perhaps free from danger. Despite the slowness and hesitation with which it was handicapped, the procedure for ratification was really going ahead in the different countries. At the end of November, i.e. just about the time when the Committee was appointed, the Bill for the protection of the workers, which had been prepared by the German Minister of Labour and had been approved by the Cabinet, was referred to the Federal Economic Council, and its discussion was about to begin in the different parliamentary bodies. The statement accompanying the Bill contained the following indications on ratification of the Convention by Germany : " In the opinion of the Federal Government the Bill for the protection of the workers is reconcilable with the provisions of the Convention as they have been interpreted by the London agreements, so that if this Bill is passed there will be no difficulties in the way of ratification. It is obvious that a ratification which would bind Germany internationally to the provisions of the Convention could only be deposited subject to similar undertakings by the other most important industrial States of Europe. "

Again, in France, the Senate had at the time put down discussion of the Bill for ratification on its agenda.

Further, in Italy Regulations were issued on 11 January, 1927, to complete the Decree-Act of 30 June. These Regulations were framed in such a way as to remove any apprehension as to the effects of the first Decree. The Italian Government made it clear that the option given to different industries to prolong the working day could only be taken advantage of after agreement between the employers' and workers' organisations, and it also made it compulsory to obtain the approval of the labour inspectorate or the Minister of National Economy according to the circumstances. Further, the extra hours were to be paid for, if not at the rate of 25 %, as the Washington Convention



provides, at least at the rate of 10 %, a rate which is in accordance with Italian legislation on hours of work but which was to be altered when Italy's ratification came into operation.

The argument was used in different circumstances that any discussions should be held over until the special Committee of the International Labour Office had presented its report: but this argument was not approved. Indeed, it was found that the work of analysis and investigation undertaken by the Committee set up by the Office did not impede the steps being taken in the different countries towards ratification. Besides, the Committee, following up the Governing Body's instructions, pressed on its work so as to bring it to an end in January. It met at Paris on 24-25 November, 1926, and then again on 26-27 January, immediately before the 34th. Session of the Governing Body.

There can hardly be any question of going in detail here into the long discussion which took place in the Committee. These discussions were at once so keen and so rich in suggestions that the Committee found it desirable to communicate its complete minutes to the Governing Body. However, the results of the Committee's work at least should be referred to here, on the basis of the Chairman's report.

The Committee's first task was to determine on the basis of the information furnished by the Office what was the actual position in the various States with regard to legislation on hours of work and its application. The British Government's representative in the course of the discussion at the November meeting submitted a questionnaire which was supplemented in some respects by the representatives of the employers' group. On the basis of this questionnaire, the Office transmitted to the Committee, at the opening of its second meeting, a full report on the regulation of hours of work in industry in Europe. The members of the Committee unanimously paid a tribute to this piece of work. It is to be supplemented in order to reply to further questions raised by the British Government's representative and the employers' group. As was bound to happen, there were a number of omissions in this first piece of work, but without any doubt it served to bring out the complexity of the problems which were being dealt with, and will facilitate any discussion based on a detailed consideration of the facts. The Committee and the Governing Body, however, made it clear that it was not their intention that the work of ratification should depend on the distribution of the information in question.

The second task of the Committee was to find out what steps had been taken to ratify the Washington Convention and what difficulties stood in the way of ratification by the States members. The chief difficulties of the Committee were

centred on this point. There were profound divergencies of view, more especially between the representatives of the employers' and workers' groups on the Committee. As is clear from an intervention by Mr. Lambert-Ribot in the Governing Body at its January Session, the employers' group had thought that the Committee would thoroughly consider the difficulties to which the employers in particular might draw attention as to the possibility of ratification. He himself had explained in detail the difficulties of the French employers on four points which they considered as particularly important from the point of view of international competition — distribution of hours of work over a period of considerable duration and even over the whole year, making up for lost time, which is not expressly referred to in the Convention, payment of 25 % extra wages for over-time, which is prescribed in the Convention but not complied with in some countries which have ratified, interpretation of "actual working hours" and "intermittent work". In Mr. Lambert-Ribot's opinion, the Committee should have stated on each of these four points, or on any others which might have been raised by other employers, whether they were covered by the London interpretations or whether it was desirable to ask the Conference for an interpretation, or whether, again, perhaps, if this difficulty seemed insurmountable, it was not desirable to ask the Conference to revise the Convention on a particular point. The Committee did not feel that it could consider this question and the employers' group expressed its regret at its inability to do so. The employers' group considered that the object proposed in setting up the Committee had not been attained. On the other hand, the workers' group was of opinion that "no valid reason now exists for refusing ratification of the Hours Convention", and consequently suggested to the Governing Body "to urge upon all the States Members of the organisation to put the Washington Hours Convention into operation forthwith".

On the third point the Committee simply considered, and with reason, that the documentation collected at its suggestion might well be of a nature to help in the work of furnishing information and explanations by which the Director endeavours to hasten the progress of ratifications.

The results obtained by the Committee might at first sight seem to be insignificant. As a matter of fact, however, its work will not be without its influence in the history of ratification. The comparative study which the Office made in reply to the questionnaire will be a means of removing apprehension or bringing out the dangers which disturb the Governments. It will help to show the extent to which, especially as between the great industrial States, systems often have much the same effects, in spite of some differences. But the chief advantage is, and further



reference will be made to this point later, that the Committee's work will have made it possible, just as another Session of the Conference is about to open, to define the general position of the problem and its difficulties.

In any case, since January, slowly and in spite of various incidents, but with a sort of latent obstinacy, the process which seems to be urging the industrial States of Western Europe towards ratification has continued to go on.

On 3 February, when the new German Government was being formed, the Chancellor Marx practically renewed the undertakings which had already been entered into by giving an assurance that "the Government is ready to ratify the Washington Convention if the other industrial States of Western Europe do the same."

On 10 February the French Senate passed the Bill authorising conditional ratification. The conditions, it is true, have increased. Instead of the coming into operation of the French ratification being made conditional simply on ratification by Germany it will now be conditional on ratification by Great Britain too. But this new clause is in conformity with the spirit which prevailed at London. What the big countries were seeking in London was a sort of simultaneous ratification by all of them, and, if it is true that it is the intention of the German Government only to apply the Convention when Great Britain also has ratified, the amendment adopted by the French Senate has hardly made the situation any worse.

The Chamber of Deputies to which the Bill thus modified will be sent back will, no doubt, not hesitate to adopt the amendment approved by the Senate. The *Reichstag* will perhaps in the autumn discuss the Bill for the protection of the workers. Meanwhile, transitional Regulations — *Notgesetz* (urgent measure) — were adopted on 8 April and will come into force on 1 May. These Regulations are not, however, directly linked up with the question of ratification, as is shown in a subsequent paragraph. As regards Great Britain, the attitude of the Government has not been modified. On 28 February last an important sitting of the House of Commons showed how even in the ranks of the Conservative party there are many members who are in favour of ratification. On 8 March a paragraph in the "Times" announced that a special committee of the Cabinet was to be set up under the chairmanship of Viscount Cecil to consider the possibilities of ratification.

Such, then, is the situation at the moment of writing. The Office will not be accused of any bureaucratic optimism if it notes with some satisfaction the limited but certain results which have been obtained since the last session of the Conference. Belgium has ratified unconditionally. France will no doubt have ratified in a few days conditionally on ratification by

Germany and Great Britain only. This means that in fact three of the important industrial countries of Western Europe are bound together and are taking the same road. The result of the Conferences of the last two years has been to have associated them in this way in a common effort for ratification, and the Office has no doubt as to the final success of this procedure.

Such a hope seems all the more warranted because in each of the different States which were represented at London progress continues to be made in consolidating or improving the eight hours system.

In *Belgium*, it will be recalled that an official committee had been appointed by Royal Decree for the purpose of enquiring into the effects of the Act of 14 June 1921. In October 1926 the committee published the information which it had collected. In the course of one of its last sittings, on 27 November 1926, it expressed a wish, in spite of objections raised by the workers' members, that the formalities provided for in section 7 of the Act which deals with overtime should be simplified, and that it should be authorised to allow days off to be made up provided that the working day did not exceed 10 hours. On the basis of the results of the committee's work the Government considered that it was desirable to define clearly certain circumstances in which overtime might legitimately be worked. A circular was accordingly sent out by the Minister of Labour on 11 January 1927 in which it was recognised that involuntary interruptions of production might be grounds for overtime. These measures can hardly be considered as a change of policy. The Belgian Government, on the contrary, tends to develop the application of the 8-hours system. Between 1 January 1926 and 1 April 1927, 16 new Decrees covering industry and certain branches of commerce were promulgated under the Act.

In *France*, the movement of ideas which was produced by the report of the experts and the programme for financial rehabilitation in favour of suspending or at least applying more liberally the Eight Hours Act has practically not gone any further. It is true that a member of the Senate, Mr. Josse, and a number of deputies applied to the Prime Minister in November asking him to allow more than 8 hours a day to be worked in order to increase production, but the Government did not accept the suggestion. On their side the workers' organisations have stated that they are ready to "take all necessary measures to ensure respect for the eight hours day." The General Confederation of Labour organised throughout the whole country a new propaganda campaign, and it won support in favour of the eight hour day not only among theoretical experts but also in the world of industry itself. In practice, according to the report



presented to the Senate on 27 March 1926 by Mr. Pasquet in the name of the Finance Commission on the budget for 1926, the Eight Hours Act of 23 April 1919 applies to about 5,000,000 workers out of a total of 6,000,000 in industry and commerce who might be subject to the Act. This total does not include the mining industry and maritime navigation which are covered by special Acts. There had already been 45 sets of administrative regulations issued in order to bring most industries and a considerable number of commercial occupations under the Act. It would not seem that the progress made up to that time will be checked. From 1 January 1926 to 1 April 1927, 20 fresh sets of administrative regulations were issued to extend the number of industries and branches of commerce to which the Act is to apply.

As regards *Italy*, reference has already been made to the provisions laid down by the Decree of 11 January 1927. They show that it is the intention of the Government to restrict the special exceptions which the Decree-Act authorises to cases of clear necessity.

Even in *Great Britain* and *Germany* it is considered that the movement of ideas and events cannot fail to exercise an influence on the final decision of the Governments. In *Great Britain* the two important legislative measures of the year were, first, the passing of the Act prolonging hours of underground work in mines and, secondly, the introduction of a Factories Bill which was withdrawn at the end of the year. There is no need to recall here how, after the issuing of the report of the Royal Commission of enquiry into the economic situation of the mines (6 March 1926), or how, after the general strike and the continuation of the miners' strike and the failure of the negotiations which had been entered into, the Act of 21 June 1926 was passed in spite of the strong opposition of the representatives of the Labour party. The general lines of this Act have already been indicated. Its effect was to allow an extra hour to be worked over and above the ordinary 7 hours on every day of the year, whereas the number of days on which 8 hours could be worked had previously been limited to 60 per annum. It should be noted here that when work was resumed as from October last in pursuance of national agreements on wages, the district agreements which were concluded mostly prolonged the working day to 7 ½ or 8 hours but in some cases maintained the 7 hour day. It should also be mentioned that in the opinion of the British Government this extension of the working day in the mines does not constitute an obstacle to ratification of the international Convention.

The Factories Bill which was introduced into the Commons in April 1926 was to replace the Factories Act of 1901 and bring the provisions concerning hours of

work of women and children into line with the Washington Convention. Under the 1901 Act women and children could not be employed for more than 10 hours per day and 55 ½ hours per week in textile factories or 10 ½ hours per day and 60 hours per week in other factories. Under the new Bill, which also contained a considerable number of provisions on hygiene and safety, hours of work for women and children were restricted to 10 per day and 48 per week as a maximum. While taking advantage of the power recognised by the London Conference to increase daily hours of work from 9 to 10, the Bill was in conformity with the general provisions of the Washington Convention. As has been said, the Bill was withdrawn. The Prime Minister stated that it was not the intention of the Government to introduce it afresh during the present session of Parliament. The employers' and workers' organisations concerned are at present investigating the amendments which they consider desirable to have made when the Bill is again discussed.

Public opinion in England is thus giving constant attention to the eight hours question. Hardly a week passes but questions on the subject are put in Parliament. And all this cannot but have an influence on the Government's decision, for the paradox referred to from time to time in the history of the Hours Convention still subsists that the country whose ratification so many other Governments claim to be waiting for as a condition precedent to their own ratification is the one which most fully applies the eight hour day. Mr. Wolfe referred to this again in the Governing Body at its October session. He pointed out that in more than 90 per cent. of British industries hours of work are 48 or less per week. This statement is confirmed by the results of the investigations undertaken during four weeks in 1924 into hours of work and wages industry by industry, results which were published during the year in the Ministry of Labour Gazette. It is clear from the figures given for a number of the more important industries, such as textile, iron and steel, paper, wood, clothing, etc. that the average normal working hours and hours actually worked are frequently appreciably below the 48 hours standard.

In *Germany*, where since 1918 the reduction of hours of work has been the subject both of political controversy and scientific investigations, efforts have undoubtedly been made towards a definite regulation of the question in closer agreement with the eight hour day principle. Following a period of strict application under the 1918 Ordinances and then three years of an exceedingly elastic application of the Ordinance of 21 December 1923, Germany seems to have entered on a third phase with the introduction by the



Government of the *Arbeitsschutzgesetz* and the *Notgesetz*. Under Section 7 of the Ordinance of 21 December 1923, which provides for the restriction of hours of work to eight per day in the case of certain workers employed in unhealthy industries, three new Decrees were promulgated on 9 February 1927. They cover gas works, iron and steel works, glass works and crystal and glass cutting factories. Further, the Committee on social policy, which was asked to give its opinion on the extension of this provision of the Ordinance to other industries, unanimously pronounced on 25 January 1927 in favour of the inclusion of certain groups of workers in the chemical and pottery industries. It would seem, however, that this procedure will not be the means of a general reintroduction of the eight hour day and that the number of workers covered by the restriction of hours is relatively small.

Attention has already been drawn to the importance which the Bill for the protection of the workers at present before the Federal Economic Council has in regard to the question of ratification. This Bill, in spite of all its interest, is only to be put into force about a year after it has been submitted to the different important bodies and councils. This perhaps inevitable delay weighs heavily on the German workers, especially as they are in the middle of an unemployment crisis. Consequently, workers' trade union organisations of different tendencies have agreed to ask the Government to take special measures during the intermediate period to restrict the use of overtime and provisions affecting normal hours of work by means of collective agreements or by requiring the special permission of the authorities. The Parliamentary group of the Social Democratic Party has submitted an Extraordinary Labour Bill (*Initiativgesetz*), the principal provisions of which are directed to abolishing all overtime. Negotiations during November and December 1926 on the possibility of an agreement on these bases disclosed the considerable divergencies of opinion which exist between the different parties. At the time when the new Cabinet was being formed the Chancellor Marx stated that until the Act for the protection of the workers came into force the difficulties remaining in the matter of hours of work would have to be smoothed over by means of transitory measures and in the light of circumstances. In accordance with this statement the Government drew up a Bill to amend the Ordinance of 21 December 1923 on hours of work. This Bill, which was adopted on 8 April by 195 votes against 184, the parties of the left having voted against, is to come into force on 1 May. It amends existing legislation with the object of more strictly enforcing the legal conditions required for prolonging the working day, providing in particular for 25 per cent. extra pay which is considered appropriate for any

overtime and the abolition of overtime work without pay.

In all the countries which were represented at the London Conference, then, the movement which is taking place for consolidating the 8-hour day system cannot but help to bring to success the procedure for simultaneous ratification on which these countries have embarked. On its success will depend to a large extent the attitude of the other countries. The day when France, Germany and Great Britain have ratified, the argument which has been so often put forward by industrial countries of less importance will disappear.

116. — Below the usual review is given of the action taken or the attitude adopted by the different countries with regard to ratification and a short analysis made of the progress of their national legislation. The information given will disclose some interesting facts.

In the first place, a new attitude towards ratification has been adopted by a number of countries.

In *Denmark*, it must be admitted that a retrograde movement has taken place. A Bill for ratification had been laid before the *Rigsdag* during the 1926-27 session. This Bill lapsed when Parliament was dissolved in December 1926. It is doubtful whether the Bill will be taken up again by the new Government, whose attention seems to be mainly directed to reducing expenditure in social as well as other directions.

In *Finland*, on the other hand, the programme of the new Government, which consists of members of the social-democratic party and which came into office on 13 December 1926, states in regard to social legislation "that as regards the eight hour day Finland should discharge its international engagement."

In *Norway*, according to a communication received from the Ministry of Social Affairs, the Government intended to submit to the present parliamentary session a general report on the attitude to be adopted with regard to all the Conventions of the International Labour Conference and particularly the Hours Convention. It appears, however, that the publication of the report has been somewhat delayed by unforeseen circumstances.

In the *Netherlands*, the question of ratification was raised when the estimates of the Labour Ministry for 1926-27 were discussed in the Chamber. A Bill presented by Royal Decree of 21 July 1921, in relation to Article 405 of the Treaty of Versailles, contained, not a reservation as regards adherence, but a reservation as regards authorisation to adhere. The Minister of Labour, in a memorandum drawn up in reply to various questions, stated "Adherence to the Convention can



only be contemplated when it is certain that a sufficient number of States which are industrial competitors of the Netherlands will also ratify the Convention." After pointing out that the London Conference only removed the differences existing between Dutch legislation and the Convention on a few points, while differences still existed on other points, the Minister concluded that it was desirable to defer for the present the submission of a memorandum replying to the provisional report of the Second Chamber on the Bill referred to above. Meanwhile, the Minister expressed the conviction that "even if they did not ratify the Convention, the Netherlands were carrying on, and would continue to carry on, in the spirit of the Convention at least as much as countries which ratified it."

In *Paraguay*, a Bill approving the Convention was passed by the Chamber of Deputies on 24 May 1926 and forwarded to the Senate.

In *Sweden*, a Government Bill to regulate hours of work with a view to ratifying the Convention was rejected by the *Riksdag* during the 1926 session. The opponents of the Bill pointed out that the application of the eight hour day in Swedish industry had had an adverse effect on production and had aggravated the crisis in the iron industry. It was decided by Parliament to maintain until 31 December 1930 the temporary Act which was to expire at the end of December 1926.

In *Switzerland*, a motion submitted by the Socialist Deputy, Mr. Ilg, with a view to having the question of ratification of the Convention discussed again in Parliament was rejected after considerable discussion.

It will thus be seen that in a number of countries the idea of ratification is still to the fore. Even in those countries which have definitely refused to ratify attempts are being made to raise the problem again.

More striking still perhaps is the development of legislation on the eight hour day or its application in a considerable number of countries.

In *Canada*, in the State of *Alberta*, the Factories Act of 8 April 1926 in its original form proposed to enforce the 48 hour week in factories, shops and offices. As a concession to the employers of the Province who were opposed to the legal eight hour day, however, it was decided to set up a committee of 2 members appointed by the Lieutenant-Governor in Council to enquire into the 48 hour week as applied to industrial workers and shop and office workers. Pending the results of the enquiry hours of work of non-manual workers under the law are not to exceed nine in the day and 54 in the week, provided, however, that the factory inspector may in individual cases permit

employment for a longer period for trade reasons, accidents, or other instances of *vis major*. These provisions do not apply to repair shops, creameries, cheese factories, grain elevators or saw mills, unless such undertakings are situated within a city or town with a population exceeding 5,000. Further, the census returns of 1924 recently published in the Canadian Labour Gazette (January 1927) show that out of 432,273 workers employed during the year in 22,178 establishments, 33.5 per cent. work 8 hours or less, 35.3 per cent 9 hours, 26.9 per cent 10 hours, and 4.3 per cent more than 10 hours.

In *Colombia*, the draft Labour Code submitted by the Minister of Industry to the National Congress gave special consideration to Part XIII of the Treaty of Versailles and the Conventions and Recommendations of the International Labour Conference. Part III of the Code in particular, concerning the moral protection of workers, women and minors, the guaranteed payment of wages, weekly rest, and hours of work, appears to be in conformity on this last point with the principles of the Washington Convention.

There are no further discussions in *Czechoslovakia* on the principle of the law, but uniform application is being sought. The various points the interpretation of which is doubtful are being submitted to the courts. A number of decisions were given during the year, the most important of which is that given by the Supreme Administrative Court on 17 March 1926, by which the time necessary for cleaning machines should be included in the normal period of eight hours. Particular attention was drawn to the fact that the amount of overtime had consistently increased since 1921. In 1921 overtime amounted to 3,061,111 hours while in 1925 it had increased to 14,505,292 hours, having been 10,767,822 hours in 1924. In their annual report for 1925 the factory inspectors express the opinion that this last increase is due partly to an improvement in trade and partly to more conscientious observance of the rules under the Act by employers. At the Congress of the National Socialist Party held on 18-19 September, the restriction of overtime was called for.

The *Esthonian* Government informed the Office on 15 May 1926 that the question of hours of work as a whole was undergoing re-examination. A Bill is being prepared to regulate the matter in accordance with the provisions of the Washington Convention.

In *Finland*, a certain number of exceptions to the eight hour day are authorised every year under the Act of 27 June 1917. By a resolution of 30 December 1926 the number of industries which benefit by this system of exceptions has just been reduced. This year the law will apply



to the preparation and upkeep of harbours, railways, bridges, roads and other means of communication. Further, the exceptions made for railway undertakings employing a staff paid by the month or by the year as well as the postal, telegraph, customs, canal and swing bridge services have been renewed until the end of June only. Before that date a report is to be submitted by the competent authorities on the probable cost of introducing the eight hour day in these services. The Government will then decide if the exemption should be extended until the end of the year. By another resolution dated 30 December 1926 exceptions in the case of continuous industries are renewed as in previous years.

In *Greece*, at the present moment the power is in the hands of a coalition Government including representatives of all political parties. Social legislation has made a certain amount of further progress. On 15 March 1926 a Decree was promulgated for the application of the eight hour day in dye works, in accordance with the Washington Convention. On 5 May 1926 a Decree was issued bringing in a working day of 10 to 10 ½ hours according to the season of the year in chemists' shops. Again, on 21 September special regulations laying down hours of rest in shops (9 continuous hours of rest) completed the regulations on hours of work adopted during the year. A conference was also held in May of representatives of the Government and the General Labour Confederation at the Department of Labour with a view to establishing the eight hour day throughout industry as a whole and applying the international Conventions to which Greece was a signatory.

In *Guatemala*, the Labour Act adopted by the Legislative Assembly on 30 April 1926 deals with hours of work in Part III. The regulations appear to be in line with the provisions of the Washington Convention. Regulations in application of the Act, varying according to the occupation, industry or trade and the place or district, will deal particularly with the distribution of hours of work throughout the 48 hour week and for a period of time other than a week, the permanent exceptions for preparatory work and certain categories of workers whose work may be intermittent, temporary exceptions only to be admitted in case of national necessity or *force majeure*, supervision of hours of work and rest and actual working hours.

In the *Netherlands*, the discussion of the estimates of the Ministry of Labour, Commerce and Industry in the Second Chamber gave rise to a number of observations on the legal provisions limiting hours of work. Some of the members of the Chamber called for the Act to be extended to shop assistants, office workers and those

in restaurants, hotels and hospitals. Stress was also laid on the necessity of regulating the hours of work of chauffeurs, cab drivers, in inland navigation, in agricultural and horticultural undertakings, as well as on the need of reducing hours of work in ports. The Minister of Labour presented a memorandum explaining his programme on these various points. As soon as the preparatory work allowed, the Hours Act was to be extended to shop and hospital workers. Provisions relating to hours of work and rest were already under consideration. At the same time, such measures could only be carried out in hospitals if they did not interfere with the care of the sick. It appeared that the 10 hour day and 55 hour week might be established for hospital staff if certain facilities were given to various establishments to enable them to conform with these provisions. As to shop workers, the Minister considered that hours of work should be regulated at the same time as the hours of opening and closing. The necessary legislative measures were at the moment being examined in collaboration with the Middle Classes Council. With regard to chauffeurs and cabdrivers, the Minister recognised that it was desirable to fix their hours of work. At the same time, the supervision of such measures would require the appointment of additional officials, which was impossible at present. He recognised that in the case of inland navigation hours of work were in many cases too long, but there were numerous difficulties in the way of limiting them. It was unlikely therefore that in this case hours of work would be regulated immediately. Investigation of hours of work in ports showed that the 48 hour week was possible and desirable if the possibilities of exemption were extended. It was on these lines that the Bill to amend the Act on hours of work in ports would be drawn up. A proposal had just been submitted to the Upper Labour Council to modify the Labour Act of 1919 on the following points: competence of the Minister and the chief district factory inspector to authorise overtime, sale of fresh bread, domestic work, four-shift system, hours of rest, work of young persons, work in hospitals and similar establishments, hours of work in shops, drug stores and restaurants. The President of the Upper Labour Council intends to appoint a special committee within the Council to prepare an opinion on this proposal.

In *Poland*, the strict enforcement of the Act is carefully watched by workers' organisations and by the Socialist Party. In April 1926 some deputies belonging to the Socialist Party made a protest in the Chamber against the attitude of the Courts in cases concerning social legislation. In order that this should be altered they called for the creation in those parts of Polish territory which



formerly belonged to Russia of special Courts, so-called Labour Courts, similar to the industrial courts which already exist in other parts of Poland. Proof of Poland's desire to comply with the standards laid down in its Act is furnished by the enquiries carried out in the textile district of Lodz. For some time the workers' press had been publishing information suggesting that the Hours Act was not being strictly observed in the textile industry in this district. The Minister of Labour ordered the chief factory inspector to make a detailed enquiry into the matter, and as a result of this enquiry an official *communiqué* stated that breaches of regulations had in fact been found in medium and small workshops. The larger undertakings, on the other hand, were carried on more or less in accordance with the law. Prosecutions were undertaken and the Government gave clear evidence of its desire not to permit existing social legislation to be interfered with. On 28 November 1926 representatives of the various workers' organisations were called together by the Prime Minister in order that the members of the Government should be informed of the opinion of the workers on the economic and social policy to be followed. After the trade union leaders and those of the Polish socialist party had called for a strict application of the Hours Act, and Abbé Woycieki had stated in the name of the Christian Democratic Party that the eight hour day was a moral necessity for all countries and that his party hoped that the great industrial States would speedily ratify the Washington Convention in order that Poland might also adopt it, the deputy Prime Minister, Mr. Bartel, assured the meeting that the Government "considered it indispensable that legislation for the workers should be maintained and extended."

In *Salvador*, an Act for the protection of commercial workers was adopted on 29 May last year. The maximum number of hours to be worked daily is fixed at 8 hours for men and 7 hours for women, with certain exceptions.

In *Spain*, under the Royal Decree of 22 February 1926 an enquiry was opened which was to last until April 30, so that employers' and workers' industrial organisations might request or propose changes in the list of exceptions to the eight hour day. A measure of this kind had already been provided for by the first Royal Order introducing the eight hour day on 3 April 1919 and by two Orders for applying it dated 15 January 1920. The third of these measures shows both the efforts of the administrative authorities to ensure observance of the regulations and the difficulties met with in their application in this country. Under the Decree of 27 September 1926 a special committee was appointed to draw up a text embodying

the legal provisions concerning the regulation of labour and the administrative measures for its application. The additional latitude given to the employers roused considerable objection among the workers, as is shown by the national conference of delegates of all the associations of Spanish textile industries affiliated to the workers' union, which on 31 July 1926 adopted a resolution drawing attention to the dangers arising from the new Royal Decree "in view of the economic crisis due to over-production". In November 1926 the Congress of the National Railwaymen's Union called for the eight hour day to be applied more generally, particularly in the railway services in which it had not yet been established. According to general statistics on wages and hours of work in Spain published by the Institute of Social Reform, 79 per cent of the 683,060 workers for whom results have so far been published in the *Boletín del Ministerio del Trabajo* worked 48 hours or less per week in 1920. In 1925 91.7 per cent of 678,930 wage-earners normally worked 48 hours or less.

In *Switzerland*, the most important fact to be noticed is the Bill to increase hours of work in transport undertakings which was brought forward when the Bill on the wages of Government employees was being considered. The critical financial situation of the federal railways led the Board to discuss a proposal moved by one of its members, Mr. Rothpletz, for an increase in hours of work under Section 16 of the Act on account of "special circumstances". The Board requested the General Manager to submit proposals to be forwarded to the Federal Council. On 8 March 1927 the Federal Council addressed a supplementary message to the Federal Assembly dealing with the Bill on the legal status of Government servants.

According to the proposals of the Federal Council, hours of work may be increased by one half-hour for all services not calling for continuous effort and may be increased to an average of ten hours for services consisting for the greater part in the mere act of presence. Hours of work, including making up lost time, should not exceed eleven in one shift. Holidays are reduced. These provisions would remain in force for a period of ten years. These proposals were adopted by the Council of the States by 21 votes to 11 and are being submitted to the National Council. The workers' organisations, the Swiss Trade Union Congress, and the Christian Socialist Trade Union Congress, have taken up a stand against any increase in hours of work.

It will perhaps be of interest to complete this brief review of the 8-hours movement in the different countries by a few indications on the two important



industrial States which are not members of the Organisation.

In *Russia*, complaints have been made for some time by workers' organisations of the abuse of overtime. At different trade union congresses delegates from the iron and steel workers, workers in the building industry and railwaymen as well as miners and textile workers have complained of this abuse in their industries. Similarly, at the Plenary Assembly of the Trade Unions' Central Council, which took place in June 1926, Mr. Kaploune, chief of the service for protection of the workers in the Commissariat of Labour, indicated in his report that considerable use was made of overtime.

It is an interesting speculation whether one of these days the system of international Conventions "of the capitalist States" should have to be employed to protect communist workers against the abuse of their own system.

But the conditions of work in the *United States of America* attract still more attention at present in European States. The United States constitutes in itself a world in which the worst working conditions are still to be found side by side with conditions which are extremely favourable for the workers. As the Deputy-Director found during his recent visit:—

In the building, printing and clothing trades 44 hours per week is the general rule, though by no means invariable. In the big engineering works, including the automobile factories, 48 hours is the usual limit, with overtime paid at time and a half. In the New England textile mills the 48 hours standard is largely observed, but in the Southern States hours run from 55 to 60 hours per week and women are regularly employed on the night shift.

On the other hand, in some of the industries which might compete most with European industry sensational experiments have been made. For example, a 40-hour week of five days has been introduced into Mr. Ford's factories. This action of Mr. Ford's is based on economic considerations. By far the greater part of manufactured articles are consumed by the workers that manufacture them. Accordingly, the better these workers are paid, the more spare time they will have and the more their needs will increase. This will enhance the country's capacity of absorption. Besides, to Mr. Ford's mind the reduction in hours should not cause an increase in the price of manufactured articles, but will be made possible by a better organisation of equipment and production.

Mr. Ford's factories in Europe, at Manchester and Rotterdam, have also adopted the five-day week. This action has had wide publicity. A number of American employers have expressed their opinions on it. In general, they are opposed to this reduction in the working week, which they consider will produce a shortage of products and a rise in their prices.

An inquiry, the results of which were published in the *Monthly Labour Review* for December 1926, and which covered 66 towns and 8,024,313 trade union workers, shows that 4.7 per cent of these workers work five days a week throughout the year and that the total number of workers employed for five days or 40 hours per week throughout the year was 5.3 per cent.

The American Federation of Labor held its 46th. annual Congress in October 1926. It adopted a resolution recommending a progressive reduction in hours of work and the opening of a campaign for spreading information on this matter. It asks that a 44-hour week should be adopted as soon as possible in shipbuilding yards, arsenals and other industrial establishments under the Departments for War and the Marine.

117. — It is true that the real progress which has been indicated in the above short account towards the full application of the 8-hour day and the fresh perspective which has been opened into the future by American employers are qualified by certain setbacks. But the outstanding fact is that the principle of the 8-hour day has nowhere been disputed, and it seems legitimate to draw from the analysis of the facts which has just been given the conclusion that the principle of the Convention is still active and that its ratification is becoming more and more possible. If further proof of this were needed, it would be provided by the movement of ideas and investigations on the 8-hour day. The workers in a number of countries, for example France, have felt it necessary to emphasise the material and moral benefits of the 8-hour system. Inspection services during the last year in Switzerland and Holland have drawn attention to the effects of a reduction in hours of work on the improvement of machinery, factory organisation and, indirectly, increasing production. But, in addition to this, there is a large number of States which are endeavouring to find out by scientific methods what are the hours of work in force in different undertakings (Germany, Great Britain, Spain), or what are the effect on output of shortening hours of work. Reference has already been made to the Belgian enquiry into the effects of the Act of 14 June 1921. The wide scope and comprehensiveness of this enquiry do not seem to have brought it to very definite conclusions. A similar enquiry has been started in Poland in consequence of the economic situation which very much disturbed the Government authorities during the past year, and investigations into the effects of hours of work on output have been given an important place in this enquiry.

But such enquiries can hardly be more than superficial, in view of the complexity of the factors which affect output.

This fact seems to have been appreciated



by Germany, which, in its big enquiry into production, has entrusted the task of making an accurate investigation to a committee under the chairmanship of Professor Ludwig Heyde. Mr. Heyde has drawn up a questionnaire which has the merit of giving their proper places to all the different factors and should thus be the means of securing as accurate an interpretation of the facts as possible. Starting with clear ideas of the information to be collected and with the desire to make it comparable, Mr. Heyde endeavours to fix the units of measures, hours of work and wages which may affect output. The Committee also conducts enquiries on the spot. The results of its work should be most valuable.

As was noted in last year's Report, such enquiries cannot but make a further contribution towards removing apprehensions among industrialists or Governments.

118. — It is accordingly considered that the hopes which the Office has sometimes been reproached for expressing are being confirmed by various proofs. In any case, they do not proceed from any systematic optimism. That progress has been made is clear from a brief consideration of the earlier history, if, for example, the position in which the Office found itself in 1921 and 1922 is compared with its present position, if regard is had to the report which the Office endeavoured to draw up for the 4th Session of the Conference and to the barren discussion to which it gave rise, to the proposal for revising the Convention which was formulated in 1921 by the British Government, i.e. the Government for which most of the other States allege that they are waiting to give the signal before they themselves ratify, or, to again, the first Eight Hours Committee which in 1923 refused to pronounce on the question of revision but asked the different States first to formulate definite amendments and then practically obtained no reply to this suggestion. Down to the discussion in 1924, the general policy was one of waiting, silence and more or less conscious inertia.

Present progress may seem slow, but it is real. Ratification of the 8-hours Convention has become a question on which the attention of the important industrial peoples is focussed. Despite the hesitations which still subsist, despite the fresh objections or the supplementary explanations which are asked for, the procedure for ratification is step by step working its way through the different competent bodies. Besides, objections and explanations are surely proofs of the progress which is being made.

To find means of hastening this progress, making it more certain and protecting it against accidents and setbacks has been the Office's constant endeavour. During the difficult period to which reference has just been made, when it seemed that none of the important indus-

trial States were anxious to ratify and that the Convention was likely to remain a dead letter, the Office was not opposed to the idea of limited amendments which might have smoothed over some difficulties and so helped to obtain important ratifications. This perhaps was the idea, though incompletely formulated, which was in the background of the discussions in the Governing Body in October and January, and which led to the setting up of the special Committee the work of which has been described.

The idea was put forward by Mr. Lambert-Ribot from his own point of view, with some force. Practically taking up the position of the British Government when it convened the London Conference, he said — "We employers, by reason of our methods, our present industrial practice — which perhaps has evolved since 1919 — are apprehensive of the effects of applying the Convention adopted at Washington. We want to know whether our industrial practice is covered by the Washington clauses or whether the application of the Convention will oblige us to change it. If it is to be changed, if new charges are to be imposed on us, the States will have to be careful in making up their minds whether they can impose such charges on us. If they cannot do so and if they still desire to ratify, perhaps amendments to the Convention would be a means of obtaining important ratifications and of bringing into operation on a sufficiently wide scale a common system of hours of work such as the Organisation desires." In other words, Mr. Lambert-Ribot considered that there was still some obscurity as to the scope of the clauses of the Convention, that this obscurity should be removed by an authorised interpretation, and that the States would then be able to decide with full knowledge of the facts whether they could ratify or whether they ought to ask for amendment of the Convention.

There would be no point in reminding the eminent representative of French employers that he was rather late in formulating this request for an interpretation. Down to 1924 a policy of silence was followed by everybody. There would also be no point in replying to him that the French Government has now ratified. The objections he formulated may some day be urged by Germany or Great Britain. The Office simply wishes to point to his desire, which is a general desire, to obtain in fact some real international settlement of the problem.

Mr. Lambert-Ribot was clearly led to the idea of bringing the matter before the Conference by the constant refusal of the Governing Body and, still more recently, its Committee to set itself up as an interpreting authority. The argument is that the Conference alone is competent to give interpretations. Mr. Lambert-Ribot has announced his intention of applying to the Conference. The Office for its part



welcomes any action which will throw light upon the problem. It will favour any procedure which may hasten to bring about more or less general ratification. But, as Mr. Lambert-Ribot suggests, there are perhaps a number of difficulties to be considered.

The question is whether the Conference will here and now, on the mere request of one of its members or even of one of its groups, give an authoritative interpretation, whether such an interpretation might not appear to be an amendment to the original Convention if it were not adopted unanimously, whether, even if it were unanimously adopted, it is not necessary that the interpretation should be adopted by two-thirds of the votes cast. Besides, there is the question whether it would not be necessary that the request for interpretation should be placed on the agenda of the Conference. These are the old difficulties which the Office has been endeavouring to deal with since 1921, when a procedure of amendment was first proposed. They are essentially legal and constitutional difficulties.

But there are probably also difficulties of a political or tactical character. The procedure suggested for hastening the work of ratification might in effect hold it up. If the interpretations given by the Conference do not coincide with the general conclusions of the London Conference, to refer only to this circumstance, the five States which were at London and came to an agreement might probably be once more thrown back into doubt and uncertainty.

For these reasons, however interesting it may be, it is not considered that this suggestion can produce the desired results in the way of ratification.

There is no doubt but that the Office's task is difficult. Its endeavours to collect and distribute information among the Governments sometimes seem ineffectual to hasten on their decisions. The argument which is most often met and which seems to have been prevalent during the last few years is that it is essential to know accurately in advance how each Government intends to apply the Convention down to the details of each industry, and that in the absence of such particulars ratification would be a great risk.

It is really doubtful, however, whether there can be any hope of being able to lay down in advance and in detail the methods of application with which the different countries must comply, and whether any guarantee can be given in advance that the different individual industries will in all circumstances employ exactly the same procedure. It seemed that the requisite guarantees which the important States required had been found at the London Conference. To attempt to go too far into detail will make ratification absolutely impossible. This is not meant to imply that something must be left

to chance, but in some way or other confidence must be created in the guarantees which the Organisation gives. Every act of ratification is, in point of fact, an act of mutual confidence, guaranteed it is true by the mutual supervision for which Part XIII of the Treaty provides. To proceed in this way, i.e. to ratify and then to find out in the light of events the definite points on which guarantees must be required and to apply for them in accordance with the procedure laid down in Article 408 and following is not merely window-dressing, as it has been said, but is making real progress towards concrete results.

The fact is that in actual practice there are methods which, though they differ from one State to another, will not disturb neighbouring States from the point of view of international competition. If, however, the methods in a particular case become dangerous for a State which has entered into an undertaking with its neighbour by ratifying the Convention, it can put in motion the procedure provided for in Articles 409, 411 and following of the Treaty. Besides, the communication of the annual reports provide for in Article 408 and their systematic comparison, which will probably now be ensured by the new Committee, and the discussion which will follow in the Conference, will henceforward be no mere theoretical and perhaps ineffectual interpretation, but a kind of first warning publicly given to the States which it may be considered do not apply strictly a Convention which they have ratified.

After careful consideration the Office has come to the conclusion, then, that the wise procedure would be to follow the method which has already given some important ratifications, not to change the text of the Convention, to investigate accurately and comparatively the methods by which the Convention is applied in the different States, to follow the legal procedures laid down in the Treaty of Peace and so by continued action find out the definite points on which in 1930, for example, the necessary amendments might be made. International labour legislation, it cannot too often be repeated, will only be made a living thing by the regular working of the mutual supervision which is provided for in the Treaty, supervision which need not necessarily be carried out in a formal way by complicated procedures but by friendly agreements arrived at in good faith in the light of the requirements of the moment.

However experienced delegates may be and however much acquainted with international life, there can hardly be any question of their providing in advance for all the special conditions of the legislation and practice in each State. International life, after all, is something new and still in an embryonic stage; it can only really be created and developed by practice.



*Weekly Rest.*

119. — Since last year's Report appreciable progress has been made in the matter of the weekly rest for workers, which is the natural complement to the limitation of hours of work. For the notes on this subject a new method has been followed: first, short references are given to the measures for ratification and application of the decisions of the Conference, and then a short review is made of the progress achieved in 1926.

*A. Effect given in 1926 to the Convention concerning the application of the weekly rest in industrial undertakings (1921).*

(a) *Ratification measures.*

*Belgium*: Ratification registered on 19 July 1926.

*Denmark*: Bill approving ratification submitted to Rigsdag during 1926-1927 session, but lapsed owing to dissolution.

*France*: Ratification registered on 3 September 1926.

*Netherlands*: Act of 10 June 1926 reserving to the Crown the power to proceed to ratification.

*Kingdom of the Serbs, Croats and Slovenes*: Ratification registered on 1 April 1927.

(b) *Application measures.*

*Argentina*: Decree of 2 March 1926 issuing regulations for the application of the Act of 6 September 1905 relating to Sunday rest.

*Estonia*: Two Orders of 19 August 1926 issuing a list of processes in which work may be done on Sundays and holidays in industrial undertakings working continuously, and a list of public utility undertakings in which work may be done on Sundays and holidays in order to provide for the daily needs of the population.

*Germany*: Workers' Protection Bill (§§ 27-38) submitted to Provisional Economic Council.

*Guatemala*: Labour Act of 27 April 1926 (Chapter IV).

*Italy*: Royal Decree of 11 February 1926, No. 356, amending table No. III approved by the Royal Decree of 29 August 1908, No. 628, relating to Sunday rest and holidays.

Royal Decree of 1 July 1926, No. 1447, adding to table No. II appended to the regulations of 8 August 1908, No. 599, issued in application of the Act relating to the weekly rest and holidays in industrial undertakings.

*Lithuania*: Territory of Memel: Police Order of 2 July 1926 relating to the outward observance of Sundays and holidays.

*Spain*: Royal Decree of 17 December 1926 approving the Legislative Decree of 8 June 1925 relating to Sunday rest.

*B. Recommendation concerning the application of the weekly rest in commercial establishments (1921).*

(a) *Communications to the Secretary-General of the League of Nations.*

*Estonia*: The question is regulated by the Act of 15 November 1906 concerning the normal rest periods of the staff in commercial undertakings, shops and offices (15 May 1926).

*Japan*: The Government informed the Office in 1923 that the custom of the weekly rest had not been generally adopted. The more important commercial undertakings nevertheless practised the system of the weekly rest and the general tendency was towards the increase of weekly rest days. Appropriate measures would be taken at the favourable moment (4 August 1926).

*Norway*: A report submitted to the Storting in 1923 had stated that the Committee entrusted with preparing the revision of the workers' protection legislation had proposed the assimilation of commercial to industrial undertakings for the purposes of workers' protection. The Minister for Social Affairs had therefore considered it expedient to await the revision of the legislation in question before taking a definite decision with regard to this Recommendation (1 December 1926).

(a) *Application measures.*

(The Acts, Decrees, Orders or Bills mentioned under the Convention (industrial undertakings) in the case of *Argentina*, *Germany*, *Guatemala*, *Lithuania* (Territory of Memel) and *Spain* also apply to commercial establishments.)

*Czechoslovakia*: Act of 1926 relating to hawking which applies the provisions on weekly rest to this occupation.

*France*: Order of the Prefect of Police of Paris of 22 March 1926 relating to the closing of butchers' shops on Sundays or Mondays in Paris and the Seine Department.

*Roumania*: Decision of 19 May 1926 of the Minister of Labour, Co-operation and Social Insurance, relating to the Sunday rest for wage-earners in undertakings for the making of pastry.

*Salvador*: Commercial Employees' Protection Act of 10 June 1926.

*Territory of the Saar*: Saarbrücken: Police Regulations of 20 January 1926 relating to the weekly rest in commercial establishments.

*A. Weekly Rest in Industrial Undertakings.*

120. — As the above notes show, a number of countries adopted general legislation on the subject of the weekly rest in 1926.

In *Guatemala*, the Labour Act of 27 April 1926 devotes a chapter to the question of weekly rest. Like the international Convention the rules laid down are applicable to all manual or non-manual workers employed in industrial undertakings of any nature whatsoever, whether public or private, and in their subsidiary departments. They also apply to commercial establishments. An exception is made for manual or non-manual workers in railway or water transport undertakings, who are dealt with by special provisions. The weekly rest is to be at least a period of 24 consecutive hours and is to be accorded preferably on Sunday.

In *Lithuania (Memel Territory)*, a Police Order dated 2 July 1926 relating to the enforcement of rest periods on Sundays and holidays defines the occupations or forms of employment which are prohibited on Sunday. It also lays down special provisions for certain forms of activity and gives a list of the exceptions allowed.

A number of States have adopted or contemplate adopting measures relating to the application of general legislation.

In *Argentina*, the Minister of the Interior published a Decree on 2 March 1926 containing rules for applying the Act of 6 September 1905, No. 4661, on the Sunday rest. This Decree defines the methods of



application of the fundamental Act, determines the branches of industry and commerce to which the Act applies, and gives a list of the different industries or forms of works for which a system different from the normal system is authorised. These rules came into force on 4 June 1926.

In *Canada*, in the province of Quebec, under an Order-in-Council signed on 3 March 1926 by the Lieutenant-Governor a committee was instructed to draw up a report on Sunday work. The Order-in-Council recalls that the Lord's Day Act of 1906 prohibits work on Sunday except in certain special circumstances. It points out that in spite of repeated warnings a certain number of manufacturers in the province, chiefly those who manufacture wood pulp and paper, have not complied with the provisions of this Act, alleging that certain work done on Sunday was urgent and necessary and that consequently they ought to have the benefit of the exceptions provided for in the Act.

In *France*, the question chiefly engaged the attention of workers in the glass industry during the year under review. It will be recalled that the proposed Draft Convention on the weekly suspension of work in tank-furnace glass works was rejected by the International Labour Conference at its Session in 1925. The workers' organisations concerned, instead of tackling the question as a whole, are dealing with it in connection with the separate branches of the industry. For the moment they are doing nothing with the sheet glass industry, but are working for the weekly suspension of work in all glass works where it has been shown to be practically possible, more especially in the bottle-making industry. On this basis the Labour Minister himself has taken up the question for reconsideration. He is specially considering the possibility of applying the weekly rest in this particular branch of the industry. On 11 May 1926 he submitted a draft Decree to the glassworkers' Federation. One of the clauses of that draft amends an old Decree of 1907 and provides for a consecutive suspension of work for 24 hours per week, including at least 16 hours on Sunday. The draft is at present before the Council of State.

In *Germany*, in March 1926 the Berlin Prefect of Police abolished the exception by which hairdressers were allowed to work on Sunday and holidays up to 2 p.m. or later in case of necessity, and the employment of hairdressers' assistants and apprentices on Sunday was prohibited in this town. The result of this measure was to induce employers to increase hours of work on Saturday. Negotiations with the hairdressers' assistants resulted in an agreement by which hairdressing saloons will remain open on Saturday up to

8 p.m. Further, the Federal Minister of Labour introduced into Parliament in the beginning of December last a Bill on the protection of the workers which codifies the provisions already existing on the subject of weekly rest. The statement accompanying the Bill explains that "on the whole it maintains the present legal position which has remained almost unchanged for a considerable number of years and has proved satisfactory. It makes an advance in regard to the scope of application, which has been appreciably extended, the reckoning of Sunday work as weekday work, the new rules as to the competence of the authorities and much stricter limitation of the possibilities of exceptions in order to facilitate a more uniform administration than in the past." In the words of the statement, again, "the rules proposed are in agreement with the 1921 Geneva Convention on the weekly rest in industrial undertakings, the ratification of which would be made possible by the adoption of the Bill without amendment."

In *Italy*, a Royal Decree of 1 July 1926 adds the manufacture of oxygen to the list of industries in which the weekly rest must be given by rotation. Another Decree dated 11 February 1926 includes the preparation, wrapping up, packing and unpacking of oranges, lemons, etc. which are to be exported, the extraction of essences, the manufacture of mulled wines and citric acid in the list of seasonal industries for which Sunday work is authorised.

In *Spain*, a Royal Decree of 17 December 1926, approving the rules for applying the Decree-Act of 8 June 1925 on the Sunday rest, points out that all days of the year except Sundays are working days. All shops, factories, workshops, commercial and industrial establishments which have not expressly been given exceptions are to be closed during the whole day on Sunday. The Decree lays down general provisions on Sunday work and on the rest periods to be given in compensation for work done under the exceptions, particularly those exceptions affecting agreements or conventions entered into by the local delegations of the Labour Council and by the local joint committees,

In *Switzerland*, where the weekly rest is not regulated by federal legislation for all establishments (some of which are still under cantonal legislation), the Federal Council has instructed the Federal Department of Public Economy to consider whether it would not be desirable to draw up a Federal Bill to regulate weekly rest uniformly in all industrial and commercial establishments in the country, with one day's rest per week.

Again, there are a number of legislative measures which had been adopted in



1925 but which had not yet been brought to the Office's notice at the time of writing last year's Report.

In *Estonia*, the Industrial Code included Sunday among the days on which work was forbidden, but, as this Code only applied to paragraphs (a) and (b) of Article 1 of the Geneva Convention, the Government submitted a Bill which was to secure the application of the Sunday rest. This Bill was passed on 17 September 1925. The new Act applies to all the industries and occupations referred to in the Convention. All workers employed in industrial establishments, whether public or private, are exempted from work on Sunday. The minimum period of rest is 36 hours. Two Ordinances dated 19 August 1926 give a list of the forms of work (continuous process industrial undertakings and work which is necessary for meeting the daily requirements of the population) which are allowed to be carried on on Sunday.

The President of the Republic of *Paraguay* published on 19 October 1925 a Decree issuing rules under the 1917 Sunday Rest Act. Manual work, i.e. work which is predominantly physical work, is prohibited on Sundays and holidays in industrial and commercial establishments.

In the Republic of *San Domingo*, an Act passed by the Senate on 20 May 1925 makes it compulsory to close industrial and commercial establishments and public offices on Sundays and legal holidays.

In *Turkey*, the weekly rest is accorded on Friday under an Act of 2 January 1925. The selection of this day has been found inconvenient for Turkish conditions. In particular, banks and exchanges which are closed on Friday and cannot work on Saturday afternoon or Sunday because Western financial establishments are closed at those times have only four days a week in which to carry on their business. Besides, the Turkish Republic, which is looking towards Europe, has an interest in seeing that its machinery is adapted to machinery in Western countries. For these reasons the Angora Government apparently proposes to substitute Sunday for Friday as the day of rest.

To sum up, since last year's Report, manual and non-manual workers in Guatemala have been given the benefit of weekly rest by law. In the Argentine and in Spain rules for applying the law define more clearly the rights of the persons concerned. In Germany, France and Switzerland Bills intended to improve existing legislation or to broaden its scope are under consideration. In Turkey it is proposed to substitute Sunday for Friday as the day of rest.

## B. Weekly rest in commercial establishments.

121.— In addition to the Convention dealing with industrial undertakings the Third Session of the Conference adopted a Recommendation on the application of the weekly rest in commercial establishments.

In a considerable number of countries the provisions in force apply both to industrial undertakings and to commercial establishments. This is the case, for example, in *Argentina*, *Germany*, *Guatemala*, *Lithuania* (*Memel Territory*), *Paraguay*, *San Domingo*, *Spain*, *Turkey*, and for these countries reference should be made to the notes in the previous paragraphs. Below are summarised the special facts for 1926 affecting the weekly rest in commercial establishments.

In *Czechoslovakia*, the political district administration of Prague promulgated on 19 December 1925 an Ordinance introducing Sunday rest in the north-west districts of Bohemia. All branches of commerce, including the food trade, with very few exceptions (milk and fruit), are prohibited on Sunday. The Hawking Act of 1926 makes this occupation subject to the provisions concerning the Sunday rest. The introduction of the weekly rest into commercial establishments in the country communes in Bohemia and Moravia caused some discontent among the country people. On 3 May 1926 a group of senators belonging to the bourgeois parties put questions to the Minister of Commerce on this point and asked that all the Ordinances relating to the Sunday rest in commerce in the towns and country districts should be repealed until such time as the investigations undertaken in the establishments in which the Sunday rest has been introduced had been completed. On the other hand, the Socialist Party is taking action to secure the adoption of an Act introducing the Sunday rest in all commercial and industrial undertakings. The National Socialist Deputies' Club has submitted a Bill on these lines to the Chamber of Deputies.

In *France*, an Act of 29 December 1923 provides that when an agreement is reached between the employers' and workers' unions in a particular trade the Prefect may, in order to carry out the weekly rest, order that establishments in that occupation shall be closed to the public on certain days. On the strength of this provision the unions of employees in the grocery trade and in the hairdressing industry are endeavouring to secure the application of the law. In a number of towns different branches of commerce have been dealt with under this system. In this connection a Decree of the Council of State dated 5 March 1926 pointed out that the Prefect is obliged in the first



place to consult all the unions concerned before issuing any orders for regulating the weekly rest for the whole of a particular trade. Further, the Paris Prefect of Police signed on 22 March 1926 a Decree by which butchers' establishments, with one or two exceptions, are to be closed on Sunday or Monday in Paris and in the communes of the Seine *Département*. As regards the closing of chemists' shops, which was made compulsory by a Prefect's Decree dated 5 September 1924 in Paris and in the Seine *Département*, a Bill has been laid before the Chamber of Deputies for the purpose of ensuring that chemists' shops, hospitals and clinics shall retain the right to give their staff a weekly rest by rotation.

In *Germany*, the Economic Union originally submitted a Bill by which it was to be allowed to open commercial establishments for at least five hours every Sunday. On the other hand, the Social-Democrat Party and the Central Employees Trade Union insist that a full day's rest should be accorded throughout the whole of *Germany*. Besides, the National Union of Commercial Employees, which since its establishment has always worked for the introduction of complete Sunday rest, reaffirmed its attitude at its Congress held in Munich on June 20, 1926, when a resolution was adopted to this effect. The Union's programme on this point includes:— complete Sunday rest in commercial establishments, the number of Sundays on which commercial establishments may be kept open to be reduced from ten to one (the Sunday immediately preceding Christmas Day), exceptions allowed in industries satisfying public requirements to be restricted to the sale of milk, confectionery, flowers, ice and other perishable goods, during a period not exceeding two hours before midday, having due regard to the times for divine service. Representations respecting the non-observance of the Sunday rest were made by the Union in conjunction with the Union of Female Shop Assistants to the General Synod of the Evangelical Church in Prussia. The Synod supports the employees and demands "the prohibition of work on Sunday or at least rules prohibiting it as far as possible".

In *Roumania*, a Decree dated 19 May 1926, under the Act of 17 June 1925 lays down the methods by which the weekly rest is to be applied for pastrycooks.

In the *Saar Territory*, police Regulations dated 2 January 1926 concerning the application of the weekly rest in commerce in the town of Sarrebrück define the exceptions allowed for the sale of certain products or articles on Sundays or holidays.

In *Salvador*, an Act of 10 June 1926 on the protection of commercial employees establishes the weekly rest for all employees except those employed in establishments where a rest period by rotation is allowed.

In the *Kingdom of the Serbs, Croats and Slovenes*, following a protest by the General Secretary of the Chambers of Labour against the permission to work on Sunday given by the Prefects to certain undertakings in towns with more than 10,000 inhabitants (only the Minister of Commerce and Industry in agreement with the Minister of Social Welfare can give such permission), the Minister of Social Welfare addressed a circular to the Prefects on 25 September 1926 inviting them to apply strictly the provisions of the Ordinance of 30 October 1925 concerning the closing of shops on Sunday. However, as a number of shops still remained open on Sunday, the Secretary of the Chambers of Labour protested afresh in December 1926, and asked the Minister of Social Welfare to take energetic measures to apply this Ordinance which accords to the workers a Sunday rest.

To sum up, as regards persons employed by commercial establishments, in addition to *Argentina, Guatemala, Lithuania (Memel Territory), Paraguay, San Domingo, and Spain*, in which countries the law in force applies both to industry and commerce, *Salvador* has introduced weekly rest in its social legislation; *France, Germany and Roumania* have extended the scope of application of their legislation to new trades; and the *Kingdom of the Serbs, Croats and Slovenes* has taken measures for a more strict application of the existing law.

It should be added in regard to this question of the weekly rest that the Musicians' Union of the northern countries (*Denmark, Finland, Norway, Sweden*) communicated in November 1926 to the Secretariat of the Committee of Intellectual Co-operation a request to the effect that proposals should be drawn up providing for a weekly rest of 36 hours for professional instrumentalists. The Institute of Intellectual Co-operation and the International Labour Office are dealing with the question. At present replies to a questionnaire which was sent out have been forwarded by *Austria, Czechoslovakia, France, Great Britain, Italy and Poland*.

#### *Night work in bakeries.*

122.—By adopting the Draft Convention prohibiting night work in bakeries in 1925, the Conference gave satisfaction to a demand which has received much support from public opinion. The Con-



vention has been submitted to the competent authorities in a number of countries, and several countries are contemplating ratification in the near future.

*Effect given in 1926 to the Convention concerning night work in bakeries (1925).*

(a) *Ratification measures.*

- Australia*: Subject matter of the Convention falls within the jurisdiction of the States, and the Commonwealth Government has decided to consider it as a Recommendation (ninth paragraph of Article 405). The Convention was brought to the notice of the several State Governments on 29 October 1925 (replies received from South Australia, Western Australia, New South Wales, Queensland and Tasmania have been communicated to the Secretary-General of the League of Nations), and laid before the Commonwealth Parliament on 14 January 1926.
- Austria*: A report submitted to the National Council on 22 November 1926 recommended ratification of the Convention.
- Belgium*: A Bill for the ratification of the Convention will be brought before Parliament at its next session.
- Brazil*: Laid before the Chamber of Deputies by its Social Legislation Commission.
- Czechoslovakia*: Laid before the Council of Ministers with a view to opening the procedure of ratification by a note of the Minister of Social Welfare dated 21 January 1927.
- Denmark*: Submitted to the Rigsdag during 1925.
- Finland*: On 22 April 1927 Parliament rejected a proposal to ratify the Convention.
- France*: A Bill authorising the ratification of the Convention will shortly be deposited with the officers of the Chamber of Deputies.
- Germany*: Submitted for information to the Reichsrat and Reichstag; the discussion on the question of ratification will be taken together with that of the Workers' Protection Bill.
- Great Britain*: The Convention will not be ratified on the grounds that its provisions go much beyond the recommendations of a Departmental Committee which recently enquired into the question of night work in bakeries in Great Britain, and are too drastic. In particular the Government's objection to the inclusion of the master baker has not been met. Further, the effect of the prohibition of night work in bakeries would be to increase the cost of the loaf.
- Greece*: Laid before the Council of Ministers with a view to ratification, which will be discussed by the Legislative Assembly recently elected.
- India*: Submitted to both Chambers of the Indian Legislature.
- Irish Free State*: Laid before Dail Eireann on 27 April 1926 and Seanad Eireann on 12 May 1926.
- Italy*: A report submitted on 15 December 1926 to the Chamber of Deputies did not propose ratification at present on the ground that the baking industry is in process of technical transformation by the installation of continuous-process ovens and the adoption of the three-shift system. Existing legislation is, however, in conformity with the Convention.
- Japan*: Submitted on 6 December 1926 to the Privy Council.
- Latvia*: Submitted to the Council of Ministers on 31 March 1926.
- Luxemburg*: Submitted to the Industrial Chambers within the competence of which the subject-matter of the Convention falls.

*Netherlands*: Bill reserving to the Crown the power to proceed to ratification of the Convention laid before the Second Chamber of the States-General on 3 September 1926.

*New Zealand*: Submitted to Parliament at its last session.

*Norway*: A Government report submitted to the Storting in 1926 stated that the prohibition of the night work of the employer, as stipulated in the Convention, is irreconcilable with the established practice of Norwegian legislation. Further, the provisions of existing legislation are a sufficient guarantee for the effective prohibition of night work. The Parliamentary Social Affairs Committee proposed that the Storting should take note of the Government's report. The Storting adopted the Committee's report on 7 July 1926.

*Poland*: A Bill for the ratification of the Convention was approved by the Council of Ministers on 12 December 1926 and submitted to Parliament.

*Portugal*: Submitted to the competent authorities.

*Roumania*: Bill for the ratification of the Convention submitted to the Legislative Council.

*Sweden*: A Bill restricting in certain respects hours of work in the making of bread and pastry was laid before the Riksdag in 1926. Amendments made by the Riksdag especially as regards the length of time during which the Act is to remain in force (until 31 December 1930) make the ratification of the Convention by Sweden impossible for the present (Government decision of 22 October 1926).

*Switzerland*: In a message of 7 June 1926 to the Federal Assembly, the Federal Council stated that the attitude to the Convention could not be yet defined, as the preliminary work for national regulation of the matter was not completed. A special report will be submitted to the Federal Assembly in due course.

*Venezuela*: A Resolution of 4 June 1926, adopted by the National Congress, accepted the general principles of the Convention and proposed the embodiment in national legislation in so far as the provisions of the Convention could be adapted to the extent to which the needs of the country demanded it.

(b) *Application measures.*

*Argentina*: Act promulgated on 1 September 1926 prohibiting night work in bakeries, pastry-shops and similar establishments.

*Australia*: New South Wales: Day Baking Act, 1926.

*Austria*: Bill amending the Act of 3 April 1919 relating to work in bakeries (in preparation).

*France*: Bill amending § 20 of Book II of the Labour and Social Welfare Code adopted by the Chamber of Deputies on 12 July 1925 and sent to the Senate.

*Germany*: Workers' Protection Bill submitted to the Reichsrat (1926).

*Netherlands*: Bill amending the Labour Act of 1919 (in preparation).

*Portugal*: Amendment to the Hours of Work Act (in preparation).

As was already stated in last year's Report, a considerable number of countries had adopted legislation prohibiting night work in bakeries even before the adoption of the international Convention. A number of new measures were passed or considered in 1926.

In *Argentina*, an Act promulgated on 1 September 1926 prohibits night work in bakeries, pastrycooks' undertakings and similar establishments from 9 p.m. until



5 a.m. The Order of 29 November 1926 issued in application of the Act allows an exception for undertakings where bread is made by machinery; in such undertakings, each shift may be employed at night one week out of three in the case of decreased production, urgency or accident, or if so agreed by the employers' and workers' organisations.

In Australia, in *New South Wales*, the Day Baking Act, the Bill for which was mentioned in last year's Report, was passed on 17 March 1926. It prohibits night work in bakeries between 6 p.m. and 5.30 a.m. In *South Australia* a Government Bill for the regulation of the hours of work of bakers was passed by the House of Assembly on 2 December 1926, but rejected by the Legislative Council on the 8th of the same month. A similar Bill had also been rejected the year before.

In *Belgium*, the measure under consideration is not a Government Bill. Senator Uytroever has submitted a Bill extending the prohibition of night work from 10 p.m. to 6 a.m. to all persons, whether employers or workers, engaged in the making of bread. It will be remembered that the Act of 14 June 1921 allows bakers to work from 4 a.m. to 9 p.m.

In *Estonia*, under the legislation authorising urban municipal councils to issue orders regulating the times at which work is to begin and end in various trades, five towns and one urban municipality have issued orders prohibiting night work in bakeries.

In *Finland*, the Government laid the Draft Convention before Parliament with a view to its ratification, and stated that in its view the Act of 4 June 1908 prohibiting night work in bakeries was in accordance with the Convention. A little later, however, the Supreme Court issued an award according to which the Act in question does not apply to the making of bread by machinery. The discussion of ratification had to be postponed. The Government at once drafted a new Bill concerning night work in bakeries which was drawn up in such a way as to make ratification possible. The Bill aroused considerable discussion in Parliament, and finally, in March 1927, a text was adopted according to which night work in bakeries is as a general rule prohibited from 10 p.m. to 5 a.m. An exception is allowed for undertakings which manufacture dry table bread and biscuits by machinery; in such undertakings, work was only to be prohibited between 11 p.m. and 5 a.m., and auxiliary workers were to be allowed to begin work earlier and finish later than the others. However, on the representations of a strong minority consisting principally of members of the Social-Democratic Party, the Bill

will remain in suspense until the new Chamber of Deputies meets in July 1927. It should be remembered that according to the Finnish Constitution a minority of one-third has the right to have a Bill adopted by a majority held over until the session of the Chamber of Deputies returned by the next elections, the elections taking place every three years. At the time of completing the present Report, the Office has just heard that on 22 April the Finnish Parliament rejected the ratification of the Convention by 90 votes to 71.

In *France*, a Bill adopted by the Chamber of Deputies is now before the Senate. It forbids even employers to work in bakeries at night. It should be noted that the Committee on Commerce of the Senate in March 1926 adopted the conclusions of its reporter, Mr. Billiet, which propose the rejection of the Bill.

In *Germany*, the Ministry of Labour included in its Workers' Protection Bill clauses which are in harmony with the Draft Convention; whereas under the Order of 23 November 1918 all work must be completely stopped between 10 p.m. and 6 a.m., the Bill prohibits night work from 9 p.m. to 6 a.m.

In *Italy*, the Order of 17 March gives satisfaction to the owners of large undertakings possessing all the technical facilities required for bread-making by machinery, which have continuous furnaces and where health conditions are satisfactory. Bread may be made at night in such undertakings provided that the necessary precautions are taken both for the undertakings and the workers. In bakeries making use of this authorisation, work must be arranged in such a way that each shift does day and night work alternately. The Italian Minister of National Economy has proposed to the Chamber that the above-mentioned Order of 17 March 1927 should be transformed into an Act. He considers that since, in the undertakings in question, the making of bread is done by machinery, the worker is simply engaged in supervision, that the work is done under satisfactory health conditions, and that therefore night work may be authorised provided that the three shift system is introduced, and that a fair distribution of work is adopted so that each worker works alternately by day and by night.

In *Lithuania*, the Social-Democratic Party has submitted a Bill to Parliament prohibiting the manufacture for sale of bread, biscuits, pastry and similar articles between 8 p.m. and 6 a.m. Work at night would, however, be allowed on the nights preceding the eves of the principal festivals, to a maximum of five nights in the year. Exceptions might also be allowed in the case of accidents or disasters, in so far as night work was necessary to satisfy the needs of the population.



The *Netherlands* Government has reproduced the provisions of the Convention in the Bill which it has submitted for the ratification of the Convention. The explanatory memorandum accompanying the Bill indicates that adherence to the Convention is to be preceded by amendment of the regulations concerning preparatory work contained in the Labour Act of 1919. A Bill was to be prepared in this sense for submission to the States-General. However, the committee of employers and workers in the baking trade set up under the chairmanship of the Director-General of Labour on 15 October 1926 to examine the question was not able to secure agreement between the parties on the various points under consideration, and the Minister therefore resolved not to propose amendments to the part of the 1919 Act dealing with bakers.

In *Sweden*, an Act was adopted on 4 June 1926 extending for a period of three years up to 31 December 1930 the provisions making night work illegal, but the amendment proposed by the Government to extend the scope of the Act to so-called "family bakeries" and to bakeries in public institutions was rejected by the Riksdag.

The Parliament fixed the hour of commencing work at 5 a.m. instead of 6 a.m. and similarly advanced the hour at which preparatory work may be begun in the baking of bread and confectionery for sale. This provision was opposed by the unions and it would appear that down to the end of March 1927 it was not yet generally in force.

The baking employers in several countries still raise objections to the prohibition of night work. This is so notably in Belgium, Czechoslovakia, France and Italy.

In *Belgium*, the General Association of Employers in the Baking Trade organised numerous protests against the Uytroever proposal.

In *Czechoslovakia*, the Central Union of the Chambers of Commerce is continuing its campaign against the rest period in bakeries (between 10 p.m. and 5 a.m., according to the Act of 19 December 1919). In a memorandum addressed to the Ministries of Commerce and Industry, of Social Welfare and of the Interior, the Union urges the necessity of amending the legislation concerning night work in bakeries, and protests against the fact that the international convention on the subject does not take account of Czechoslovakian customs and needs. The Artisans' Party, too, has submitted to the Chamber and to the Senate two proposals to the effect that work in bakeries should begin in the morning before 5 a.m., and the Council of State on industries and crafts has even adopted a proposal that work should begin at 3 a.m.

On the other hand it, would appear that in *Finland* the opinion of employers on

the subject varies. The Parliamentary representatives of the large employers have supported proposals to allow night work to be carried out (on a three shift system) in bakeries employing mechanical processes. The Union of owners of bakeries and confectioneries has however definitely opposed this proposal, and has recommended a uniform régime for all bakeries, i.e. night work to remain prohibited, but the system of two day shifts to be permitted. As a matter of fact, the text finally adopted by the Parliament covers this system.

In *France*, the management committee of the General Federation of French Production protested on 1 February 1926 against the Bill forbidding the night work of employers in the baking trade on the ground that it was a restriction of individual liberty. Mr. Billiet, in his report to the Senate Committee on Commerce, drew attention to the fact that in large centres all bakers employ mechanical processes, and that the work was thereby rendered more healthy and the danger of contamination reduced to a minimum. In his opinion, the statistics generally quoted to indicate the dangers of night work appeared biased to certain experts and did not allow definite conclusions to be drawn. Having noted that the baking trade is "democratised", since, while there are 48,000 men working for an employer, there are 46,000 employers who work for themselves, he arrived at the following conclusion: "The number of employers and workers is about the same; since the workers have received satisfaction through the prohibition of night work it would be fair to give satisfaction to the employers also by leaving them the right to work as suits their convenience."

In *Italy*, the employers insist more energetically than ever that work in bakeries in general should begin one hour earlier in the morning, i.e. at 3 a.m.

The arguments of the employers in favour of beginning work early in the morning are often based on advantages to the consumers, the customs and habits of their customers, and the variety of the technical installations. It is often maintained that the point at issue is not so much the return to night work as the leaving of sufficient latitude in order that — (1) the dough may be prepared and have risen sufficiently before being placed in the oven, (2) that bread can be sold early in the morning, (3) that a process so complicated as that of the manufacture of bread and pastry should not be confronted with a technical difficulty which it is practically impossible to overcome. Czechoslovak employers point out that by beginning work at 3 a.m. (instead of, as at present, 5 a.m.) it will be possible to give workers a night rest of seven consecutive hours — from 8 p.m. onwards. The Fascist Co-operative of Milan gives another argument in the



journal *Panificazione* of 24 January 1927. This body considers that the fixing of the starting time one hour earlier tends to improve the quality of the bread by permitting better fermentation of the yeast and longer time for baking. In its opinion, the provisions of the 1908 Act may be humane but are a step backwards from the technical point of view. A modification in hours of work is better suited to the technical requirements of the industry, while it is only slightly prejudicial to the workers.

The workers of these countries feel that a reform which is considered one of the most important victories of trade unionists in recent years is threatened, and they are active in its defence.

In *Belgium*, protest meetings were held to counter the action of employers in calling their meetings in April and May 1926.

In *Czechoslovakia*, the workers have held protest meetings at which they have demanded that the law prohibiting night work in bakeries should not be modified. On 14 October 1926 the Federation of Czechoslovak Trade Unions demanded the immediate ratification of the Convention. In November a delegation from this Federation asked the Ministry of Social Welfare to see that the Act was effectively carried out. The Federation suggested that the police should assist in supervising work in bakeries at night and that trade union organisations might be entitled to consult official records concerning the fines imposed on bakeries found to be working at night. The executive committee of the bakers' unions of Prague have also protested against the inadequate enforcement of the Act on hours of work in bakeries and have demanded its stricter enforcement.

In *Finland*, the workers and their unions have stoutly resisted any departure from the principles of the 1908 Act. They declare that prohibition of work between the hours of 9 p.m. and 6 a.m. should be maintained both in bakeries employing mechanical processes and in ordinary bakeries.

In *France*, several demonstrations have taken place in Paris and throughout the country for the complete enforcement of the principle of day work and the early adoption of the Bill passed by the Chamber of Deputies on 13 July 1925, making it illegal for employers to work at night.

In *Italy*, *Il Lavoro d'Italia*, the organ of the National Federation of Fascist Corporations, in its number of 8 January 1927, shows that the resumption of work an hour earlier than laid down in the Act would not give any favourable result. The same arguments are put forward by the Milan Bakers' Union in the journal *Panificazione* of 24 January 1927.

In *Lithuania*, the Social Democratic Party, in the explanatory statement prefaced to its Bill, stresses the impossibility of exercising effective supervision over the cleanliness of bakeries in which work is carried out by night.

In the *Kingdom of the Serbs, Croats and Slovenes*, a conference convened by the Labour Chamber of Zagreb and the National Federation of workers in the food and drink trades met at Zagreb on 2 October. At the conference there were present, in addition to workers' representatives, representatives of employers' organisations, of the Ministry of Social Policy and of the Ministry of Industry and Commerce. The question of the regulation of working hours in the baking trade was on the agenda. A resolution, in the vote on which only the representatives of workers' organisations took part, was adopted to the effect that night work should be abolished, that regulations should be made in this sense in order to settle the question in accordance with paragraphs 19 and 35 of the Act for the protection of workers, i.e. prohibition of all work between 10 p.m. and 4 a.m., and that preliminary work such as preparation of the dough, lighting of fires, etc. should be carried out by two workers in the case of undertakings employing up to six workers. This resolution was forwarded to the Minister of Industry and Commerce and to the Minister of Social Policy with the request that effect be given to it as soon as possible, since the demands contained in it were based on provisions of the law for the protection of the workers.

In the presence of these different attitudes some Governments have called conferences of representatives of employers and workers in order, if possible, to arrive at an agreement between the parties concerned. In the *Netherlands*, as already stated, a conference took place on 15 February 1926 between representatives of the two parties with a view to considering amendments to the law. The Czechoslovak Government called a similar conference in November 1926.

It would appear, however, that the best results are likely to be produced by agreements between employers' and workers' organisations similar to those concluded in France, at Kremlin-Bicêtre and Villejuif. There the two sides decided not to bake bread between 10 p.m. and 4 a.m. If supervision is essential to prevent the law on the prohibition of night work in bakeries from becoming a dead letter, collective agreements, on the other hand, have been found to be a means of securing a solution of disputes which could not be settled by the law.

There is a further movement which should be noted in regard to legislation on the present topic. As has been seen, the prohibition has been removed in Italy in the case of large undertakings using continuous and mechanical processes. The



Government has pointed out in this connection that in these bakeries all baking operations are carried out by machinery, the work of the staff is simply to supervise this machinery, the atmosphere is healthy, consequently, the baking industry does not differ from other technical industries in which the three-shift system is employed and in which night work is authorised.

Contrary to the hopes entertained at certain periods, the prohibition of night work in bakeries, which in many countries is a reform of long standing and even dates from before the war, is still the object of severe controversy in other countries. As has been pointed out, employers' organisations in some countries desire to be able to begin work at an hour which is considerably earlier than that laid down by the Convention. But, in general, the prohibition of night work will be more effective than before when, in all the countries which desire to ratify the Convention, it has been extended to all engaged in baking, whether employers or workers.

123. — In the Report submitted to the 8th Session of the Conference it was explained that the employers' group on the Governing Body had made a proposal for the submission to the Permanent Court of International Justice of the following question: "Is the International Labour Organisation competent to draw up and propose rules applying to the work of the employer himself?". This question, though drafted in general terms, arose out of a provision in the Draft Convention on night work in bakeries, the first article of which prohibits the baking of bread during the night and specifies that this prohibition applies to "the work of all persons including proprietors as well as workers engaged in the making of such products."

Last year's Report explained briefly the circumstances in which the Governing Body decided to entertain the proposal of the employers' group. It will therefore be sufficient to recall here that the question put to the Court was finally drafted as follow: — "Is it within the competence of the International Labour Organisation to draw up and to propose labour legislation which in order to protect certain classes of workers also regulates incidentally the same work when performed by the employer himself?"

The Council of the League of Nations, at the request of the Governing Body, requested the Permanent Court of International Justice to give an advisory opinion on this question, and the Court put down the question for hearing at its XIth Session. Before the public pleadings, written memoranda were submitted to the Court by the International Organisation of Industrial Employers, the International Federation of Trade Unions and the International Labour Office. On 28

and 29 June 1926 the Court devoted three sittings to the hearing of the oral observations submitted by the representatives of the organisations concerned. Mr. Lecocq and Professor Eugene Borel appeared on behalf of the International Organisation of Industrial Employers, Mr. Mendels on behalf of the International Federation of Trade Unions, and Mr. Serrarens on behalf of the International Federation of Christian Trade Unions. The Director also personally appeared before the Court.

It is not intended to analyse here the arguments submitted on one side and the other, either in the written memoranda or during the course of the personal pleadings. All the documents relating to the matter have been published in the Official Bulletin of the Office (Vol. 11 No. 5), and delegates to the Conference may refer to this document to obtain such information as they desire on the detailed arguments put forward.

The court replied affirmatively to the question submitted to it. It was careful to indicate in its explanatory statement that it had not been requested to give an opinion as to the existence of any general competence to regulate work done by the employer. Such competence had not been claimed for the International Labour Organisation. The object of the question put to the Court was, the Court considered, to ask for an opinion as to whether the Organisation might, in order to protect certain classes of workers, propose labour legislation which regulated incidentally the same work when performed by the employer himself. After having noted that "the High Contracting Parties clearly intended to give the International Labour Organisation a very broad power of co-operating with them in respect of measures to be taken in order to assure humane conditions of labour and the protection of the workers", the Court clearly stated that the Organisation would be prevented from accomplishing this end "if it were incompetent to propose for the protection of wage-earners a regulative measure to the efficacious working of which it was found to be essential to include to some extent work done by employers."

The general effect of this opinion of the Court in regard to the Organisation is clear, but it is only desired here to emphasise its effect on the ratification of the Convention on night work in bakeries. The controversy on the question of competence was holding up ratification. Certain Governments awaited the decision of the Court before starting the necessary procedure before the competent authorities. The obstacle has been removed, and there should therefore be no longer any hesitation.

#### *Holidays with pay.*

124. — During the past year further progress was made and several new legis-



lative measures were enacted on this subject.

As regards *Brazil*, last year's Report mentioned the passing of an Act providing for 15 days annual leave, and applying to all employees and workers in industrial and commercial establishments, including newspaper employees, banks and charitable institutions. On 30 October 1926 the first set of Regulations were issued. Special Regulations are to be issued to settle the methods of application of the Act to persons employed in industry, transport generally, etc.

In *Luxemburg*, a Bill submitted to the Legislature in June 1926 was finally passed and became law on 6 December 1926. The Act provides for a holiday with pay varying from four days after one year's service to twelve days after twenty years' service for all wage-earners who are not already entitled to holidays under existing legislation. Domestic servants, workers engaged in agriculture, forestry, etc., seasonal workers, out-workers, and persons engaged in undertakings where less than twenty workers are employed (with the exception of young persons under 18 years of age and miners), are excluded from the benefit of the Act.

In certain other States the law has a more limited scope.

In *Chile*, Regulations dated 22 May 1926, issued in pursuance of the Act of 11 November 1925, respecting salaried employees (defined as all persons irrespective of sex or age who perform work in which the intellectual effort predominates over the physical effort required, under the orders of an employer or in pursuance of an individual or collective contract) provide that salaried employees with more than one year's service shall be entitled to a fortnight's leave annually with full pay.

In *Salvador*, an Act dated 10 June 1926 for the protection of commercial employees stipulates that all such employees shall be entitled to 14 days annual holiday with pay.

In the *Kingdom of the Serbs, Croats and Slovenes*, workers in the State monopolies and journalists are entitled to annual leave with pay, under two Orders issued in January and September 1926.

In *Switzerland* the question is still within the competence of the Cantons. During the past year the Canton of Berne adopted an Act, dated 9 May 1926, which provides an annual holiday with pay of not less than six working days for all employees or workers engaged in commerce, after one year's service.

Bills are at present before the legislature in other countries.

A Bill submitted recently to the Senate by the President of the *Dominican Republic* provides for paid holidays for civil servants.

As for *France*, reference was made in last year's Report to a Bill introduced by the Minister of Labour, M. Durafour, to give every worker who has been employed for more than a year a continuous holiday of at least eight working days. M. Ponard, in reporting on the Bill in the name of the Labour Committee of the Chamber of Deputies in June last, stated that it "satisfies the most legitimate aspirations of the labour world", and urged the Chamber to vote the Bill without amendment. The Labour Committee finally adopted the Bill, and it was submitted to the Trade Committee of the Chamber of Deputies for observations in February of the present year. The Committee approved the favourable conclusions of its reporter in principle, with the reservation that a clause should be added with regard to the likely economic effect on commerce, industry and agriculture.

Lastly, in some countries such as *Switzerland*, *Northern Ireland* and *Belgium*, individual and collective efforts are being made to interest the authorities in the question.

In *Switzerland*, a motion has been brought forward by the socialist deputy, M. Rosselet, inviting the Federal Council to submit proposals as to the advisability of adopting legislation to provide paid holidays for all salaried employees. In the Canton of Zurich also, socialist members of the Council of State have submitted a proposal to ensure a minimum annual holiday to all workers.

In *Northern Ireland*, a motion was recently put forward to provide employees with at least one week's holiday with pay in each year. A debate on this subject took place in Parliament, but after a short discussion the motion was negatived.

In *Belgium*, again, the question of annual holidays with pay continues to occupy the attention of the labour world. Quite recently the National Committee of the Trade Union Federation adopted unanimously a proposal framed by its secretariat for legislation to provide paid holidays for all workers.

Side by side with this movement in favour of the regulation of paid holidays by law, the custom of according such holidays by collective agreement is extending more and more. The rapid development of this custom in recent years in certain European countries such as Germany, Sweden, Italy, Norway and Denmark, where no legislative provisions are in force, was outlined in an article which appeared in the December issue of the *International Labour Review*.



Although there can be no doubt that considerable progress was made during the past year in the legislative field, the question of holidays remains a very controversial one in certain countries where a legal sanction is still lacking. In *France* and in *Germany*, in particular, employers have adopted definitely hostile attitudes to any proposal to give a statutory right to holidays with pay.

In *France*, Mr. de Lavergne, general delegate of the Confederation of French Production, opposed the adoption of a Bill as imposing a new and heavy burden on industry at a time of grave economic crisis. In February of this year, during the discussion of the Bill by the Trade Committee of the Chamber of Deputies, reference was made to an enquiry undertaken by the Confederation of French Production, according to which the application of the proposed Act would entail an additional annual expenditure by French manufacturers of 1,400,000,000 francs, as no compensatory hours may be worked to make up time lost by holidays. In *Germany*, employers in the metal industry have expressed the opinion that the making up of hours lost in consequence of the granting of holidays should be allowed, as in large establishments the engagement of temporary workers in sufficient numbers to maintain the level of production during the holiday months constitutes a serious burden on the industry.

The workers on their side have not slackened in their efforts. National and international congresses continue to place the question of holidays with pay on their agendas. Particular importance is attached to the question of holidays for young workers and apprentices: e.g. the Congress of the International Federation of Young Socialists (26-20 May 1926), the Congress of German Christian Miners (13-16 May 1926), the Conference of the International Federation of Building Trade Workers' Unions (14-16 September 1926), the Congress of the International Federation of Christian Textile Workers (23-27 August 1926), and the International Federation of Christian Railway Workers (19-21 October 1926), all passed resolutions on this subject.

Side by side with the efforts made by the International Federations and National Trade Unions to obtain holidays with pay for industrial workers, various associations of salaried employees have devoted their attention to this important social measure during the past year. In this connection mention may be made of the Congress held in Munich on 19-20 June 1926 by the National Union of Commercial Employees in Germany. The Congress adopted a programme of social reform including, *inter alia*, a demand for an uninterrupted annual holiday with pay of at least twelve

days for all commercial employees and apprentices, this period to be increased according to length of service, occupation and age.

Although, as may be remembered, a proposal to place the question of annual holidays with pay on the agenda of the International Labour Conference for 1927 was finally rejected by the Governing Body in 1926, there can be no doubt that general opinion in favour of legal regulation is steadily growing in all countries. This important forward movement in a new field of social legislation should largely confirm the opinion already expressed that the Governing Body will be able to place this question on the agenda of the Conference in the not too distant future.

#### *Development of facilities for the utilisation of workers' spare time.*

125. — Close attention continues to be given to the question of the utilisation of workers' spare time by all those who realise the effects which the shortening of the working day may have for civilisation generally. Notes on the effect given to the Recommendation adopted on this subject by the Conference in 1924 are given below.

#### *Effect given in 1926 to the Recommendation concerning the development of facilities for the utilisation of workers' spare time (1924).*

##### *Communications to the Secretary-General of the League of Nations.*

*Australia* : South Australia : The Government has recognised the need for legislation in some of the directions indicated in the Recommendation and has therefore taken steps. On other points the need for legislation is not felt sufficiently to justify immediate action (3 May 1926).

*Belgium* : Recommendation approved by the Government. The majority of the suggestions contained in it are already carried out in Belgium (5 November 1926).

*Finland* : The Chamber of Representatives decided, on 12 March 1926, that as several of the measures proposed in the Recommendation had been dealt with in existing legislation, and as the Chamber had always supported the development of legislation in the sense of the Recommendation, no other steps need be taken by the Chamber. On 22 July 1926, the Council of Ministers instructed the Ministry of Social Welfare to take account of the contents of the Recommendation within the limits of existing legislation, and further decided that the Recommendation should be considered by the other Ministries concerned (5 August 1926).

*France* : The various parts of the Recommendation have already been applied in France (8 December 1926—5 January 1927).

*Germany* : Approved by the Government. The Recommendation does not contain anything which is not already fully applied or in process of application in Germany. Central and local authorities have been requested to take measures for the encouragement of all steps and institutions having as their object the rational use of workers' spare time (6 January 1927).



*Other information.*

*Australia : Tasmania :* The Prime Minister of the Commonwealth has communicated to the Office information supplied by the Government of Tasmania. A number of measures have already been adopted in that State which carry out the provisions of the Recommendation.

*Denmark :* Information concerning the activities of institutions which afford to the workers opportunities for the use of their spare time in accordance with their individual predilection (Part IV of the Recommendation) has been forwarded to the Office by the Department for International Co-operation in Social Policy.

*Hungary :* The Royal Hungarian Delegation to the League of Nations has informed the Office that the Council of Ministers, which examined the Recommendation during its sitting of 26 June 1925, was of opinion that nothing in its clauses precluded its adoption by the Government. The Recommendation was submitted on 8 July 1925 to the National Assembly together with a report declaring that it was acceptable. Further, the Government has given instructions to the competent administrative authorities for the collection of information on the experiments already made in Hungary and on the results obtained in regard to the utilisation of workers' spare time.

*Norway :* The Ministry of Social Affairs has sent to the Office information on the activities of institutions which afford to the workers facilities for the utilisation of their spare time (Part IV of the Recommendation).

The big movement in favour of providing facilities for the utilisation of workers' spare time expanded considerably during 1926. Workers' educational centres are on the increase. Every day sees the birth of new associations endeavouring to provide the workers with the means of educating themselves and with recreation—libraries, lectures, theatres, concerts, etc. More and more workers are finding in the arts the means of utilising their spare time, and the successful district exhibitions held at Lyons and Lausanne are being followed by Montpellier, which is going to organise an international exhibition of workers' art. Further, fresh impetus has been given to workers' sports organisations. The different sports federations, there is no need to recall, reckon on giving great importance to the workers' Olympic Games which are to be held this summer at Prague. On all sides the Office is being asked what the International Labour Organisation can do to develop sports, which are so beneficial for the health of the people and the workers. Within the means at its disposal the Office proposes to consult the organisations concerned which could best suggest what it can do in this direction.

Two relatively new factors, it would seem, are bound to be of the utmost importance in the future in the utilisation of workers' spare time—wireless telephony and the cinema. The short investigation which it undertook in connection with the International Cinema Congress held in September 1926 at Paris has shown the Office how powerful an instrument for the education of the workers the cinema might be in the future. The cinema already

renders invaluable services. Numbers of different bodies, workers' associations, and educational organisations possess a cinematograph apparatus. In some places endeavours are made to train voluntary operators from among the workers. In other places film libraries are being created and endeavours are being made to produce films. Undoubtedly there are considerable difficulties in the way, the chief one being perhaps the lack of good educative films, but it seems that these difficulties could be overcome by a certain amount of collaboration and organisation, and that big results can be expected from this admirable means of education. The Paris Congress was well aware of the possibilities and expressed the wish that the Office should continue its investigations on as broad a basis as the subject demands.

Wireless telephony, which is a more recent development, is also full of promise for the future. It already occupies an important place in certain workers' centres. It has clearly not yet entered on its organisation stage, but as soon as it reaches that stage there is no doubt but that, as was suggested in last year's Report, it will effect a veritable revolution in the utilisation of workers' spare time.

Increased interest is being taken by the Governments in the question of providing facilities for the utilisation of spare time. Unfortunately, a number of Governments seem more disposed to wait for private initiative to lead the way than to stimulate private initiative where it is still wanting. Belgium and Italy are still the only countries which have applied one of the important suggestions contained in the Recommendation, viz., that district or local bodies should be created for encouraging action already being taken, to promote fresh action, and to co-ordinate the activities of the various institutions which aim at promoting healthy utilisation of the worker's spare time. The three provincial committees in Belgium have continued their activities in this direction, and the Italian national institution, *Dopolavoro*, will soon be at the end of its second year's work. It has developed its work in different directions—sport, education, theatres, cinemas—and will now draw a considerable income from the compulsory contributions imposed on the union funds by the administrative rules issued under the Trade Union Act and approved by a Royal Decree of 1 July 1926.

The Office continues to keep up to date with the action taken in the different countries. It will prepare reports which it has in mind on certain special aspects of the problem, such as the cinema, wireless telephony and sport. When these reports are finished it hopes to be able, with the help of the information which the different Governments may communicate in pursuance of the 1924 Recommendation, to



publish at an early date a general review of the whole question, which, it need hardly be repeated, cannot be lost sight of without diminishing the value of the good effects which are legitimately expected of a reduction in the length of the working day. Action by the Office for the purpose of coordinating activities and spreading information can hardly be more beneficial than on the present subject.

### *Housing.*

126.— Reference was made in last year's Report to the connection between housing policy and the utilisation of workers' spare time. Attention was also drawn to the small amount of progress which had been made internationally since the war in the direction of an effective and uniform housing policy, and to the early measures taken by the Office for the establishment of international statistics and for the consideration of the problems raised almost everywhere by the housing question.

With regard to statistics, an enquiry which was undertaken on the request of the International Congress of the Union of Local Administrations (October 1925) is in course of being printed<sup>1</sup>. It covers all statistics which bear directly on housing problems and which may be of service in directing housing policies. It consequently deals with the figures of houses, habitable buildings and building land on the register, the individuals and households which occupy them, periodical facts and figures concerning rents, the housing market, the construction, transformation and demolition of houses. It deals both with national statistics and purely municipal statistics. With regard to the latter it is particularly necessary that coordination should be ensured and it is desirable that it should be carried out on a basis which would at the same time facilitate international comparison. The Office consequently paid particular attention to local statistics—the more so since in some towns a great deal of experience has been acquired on this subject—and made enquiries for the purpose from the authorities of some of the large European towns, who have been good enough to furnish all the information required. The report is, however, limited to statistics of urban districts, as the problems in rural districts are totally different and require special treatment.

Not only has question of housing statistics occupied the attention of the Office, but the housing problem itself has been considered. Housing policies, which suffered from a certain lack of initiative

before the war, were primarily concerned with effecting an improvement in the standard of the houses and of finding ways and means of providing cheap dwellings. The general shortage which resulted from the practically complete stoppage of building in almost every country during the war and postwar years was the origin of the problem of the number of houses which overshadowed the question of the standard of housing. In almost every country the public authorities were obliged to intervene, first by means of laws for tenants' protection, rent restriction, security of tenure, requisition and allotment of houses, and then by encouraging and initiating building programmes (cheap or free provision of land, exemption from tax for new buildings, remission of duty on building materials, special advantages accorded to public benefit societies for building cheap houses). These problems formed the subject of the earlier enquiries of the Office into the housing question<sup>1</sup>.

Since these reports were published a certain amount of development has taken place in regard to these problems. The action taken by the public authorities in furthering the building of houses involved considerable sacrifices. In consequence, no sooner had a building revival and a diminution of the crisis occurred than the question of returning to more normal conditions was considered. Measures for tenants' protection were gradually curtailed, and at the present moment their gradual abolition is being prepared in countries where they have not already been withdrawn. Moreover, the action taken in many countries to put Government finances on a sound basis has caused the abolition, or at all events the diminution, of those forms of subsidy which weigh most heavily on the Exchequer. Efforts have also been made to find new sources of revenue to meet the considerable expense necessitated by the subsidies. In some countries, particularly in Central Europe, measures have been adopted stabilising rents of existing buildings at the pre-war level, and such increased rent as the law authorises has not been allowed to go to the landlord—or only partially—the difference being taken by the State in the form of a special rent tax.

In countries where building was completely stopped and had been most energetically resumed, it was further noticed that the building industry, weakened by almost ten years of stagnation, did not possess the power required for carrying out the programmes proposed. In the first place, the gaps in the ranks of the skilled workers left by the war, or caused by

<sup>1</sup> *Methods of housing statistics.* Studies and Reports, Series N.

<sup>1</sup> *European Housing Problems since the War.* Studies and Reports, Series G, No. 1. *The Housing Problem in the United States.* Studies and Reports, Series G, No. 2.



emigration to more flourishing industries, had not been filled, and, further, the producers of building materials were on the point of bankruptcy or had taken up other activities. Fresh measures were therefore required to cope with this difficult position—increasing the number of apprentices, effective utilisation of the labour available, development of the industries producing building materials, and a well-planned building scheme to avoid waste of labour and raw materials, as well as enquiries into new methods by which different materials and other classes of labour could be used.

Other problems, which had been relegated to the background by the seriousness of the crisis, became gradually more important. Such questions as town planning are coming to the fore now that a period of active construction in the years to come is anticipated and the importance of building on well-thought-out schemes is once more realised. In addition, the question of organising private credit for building purposes becomes more urgent when it is appreciated that the payment of subsidies by public authorities can only be a transitory measure.

Further, the difficulties experienced throughout the crisis in obtaining the land required for building have given rise to certain views as to the advisability of reforming the land laws in the case of building properties. Besides, the exceptional measures for tenants' protection which have been maintained for ten years or so are tending to modify ideas as to the respective rights of landlord and tenant. It is probable that these developments will have a certain effect when the question of re-establishing a settled legal system is raised.

These new developments of the housing question will be dealt with in the report which is being prepared. Several of them were raised during the discussions of the last congress of the International Housing and Town-Planning Federation at Vienna in September 1926, in which more than 1,000 delegates from every country of Europe and even from other continents took part. It would appear that the time is not far distant when a great movement of international opinion will make itself felt in favour of speeding up progress with this important question.

#### *Unemployment.*

127.—In comparison with 1925 there was generally speaking, an increase in unemployment in 1926. In order that this unfavourable movement may be understood, the Office has made a double comparison between the average numbers of unemployed during the two periods and between the numbers at the end of each year.

From both of these points of view the situation was worse in 1926 than in 1925 in the case of Czechoslovakia, Denmark, France, Germany, Great Britain, New Zealand, Norway, Sweden and Switzerland, as is shown by the following figures : —

#### *Czechoslovakia.*

	1925	1926
Percentage of insured unemployed (average April-September) . . . . .	0.7	3.5
Percentage of insured unemployed (end of September) . . . . .	0.9	3.7

#### *Denmark.*

Percentage of insured unemployed (average) . . . . .	14.7	20.8
Percentage of insured unemployed (at the end of the year) . . . . .	31.7	32.7

The high figure reached at the end of December 1925 was fortunately only slightly exceeded at the end of 1926. The remarkable difference between the averages is due to the fact that seasonal fluctuations in industry, which are more marked in Denmark than in any other country, took place at a much higher level than in previous years. As a result of this, the percentage of unemployed in May, the best month of 1926, was 14.8, as compared with a minimum of 8.3 in July 1925, and 5.3 in July 1924.

#### *France.*

	1925	1926
Unemployed in receipt of assistance (average) . . . . .	716	1,520
Unemployed in receipt of assistance (at the end of the year) . . . . .	645	1,700

Unemployment remained unimportant until the end of the year, but on 10 February 1927 there were 64,000 unemployed in receipt of assistance.

#### *Germany.*

	1925	1926
Unemployed in receipt of assistance (average) . . . . .	465,000	1,688,000
Percentage of wholly unemployed members of trade unions (average) . . . . .	8.8	18.0
Percentage of partially unemployed members of trade unions (average) . . . . .	8.3	15.9
Unemployed in receipt of assistance (end of the year) . . . . .	1,498,000	1,746,000

However, an improvement is to be noticed as regards the percentage of unemployed in trade unions at the end of the year, and it is particularly noteworthy in the case of the partially unemployed.

	1925	1926
Percentage of wholly unemployed members of trade unions (end of the year) . . . . .	19.4	16.7
Percentage of partially unemployed members of trade unions (end of the year) . . . . .	19.8	7.3

The unemployment crisis was particularly acute in Germany at the beginning of



1926, and in February there were more than two million unemployed in receipt of assistance.

*Great Britain and Northern Ireland.*

	1925	1926
Percentage of insured unemployed (average) . . . . .	11.5	12.2
Percentage of unemployed members of trade unions (average). . . . .	10.5	12.2
Percentage of insured unemployed (end of the year) . . . . .	10.4	11.9
Percentage of unemployed members of trade unions (end of the year). . . . .	11.0	12.2

*New-Zealand*<sup>1</sup>.

Percentage of unemployed members of trade unions (end of November) . . . . .	5.5	6.7
------------------------------------------------------------------------------	-----	-----

*Norway.*

Percentage of insured unemployed (average of 10 months) . . . . .	11.2	23.7
Percentage of insured unemployed (end of October). . . . .	16.4	24.4

*Sweden.*

Percentage of unemployed members of trade unions (average of 11 months). . . . .	10.3	11.5
Percentage in trade unions (end of November). . . . .	11.8	12.9

*Switzerland.*

Applicants for whom no situations were found (average) . . . . .	11.000	14.000
Applicants for whom no situations were found (end of the year). . . . .	17.000	18.000

Notwithstanding the absence of regular statistics, it is known that unemployment also increased in 1926 in Chile, Greece, Palestine, Portugal and Spain.

In Austria and Poland also, the average for the year was worse in 1926 than in 1925, but at the end of the year a return to the former position took place in Austria and an appreciable diminution in Poland.

*Austria.*

	1925	1926
Unemployed in receipt of unemployment allowance (average) . . . . .	150.000	177.000
Unemployed in receipt of unemployment allowance (end of the year) . . . . .	208,000	206,000

*Poland.*

Unemployed on the register (average) . . . . .	184,000	298,000
Unemployed on the register (end of the year) . . . . .	311,000	236,000

Unemployment was most severe in January and February 1926.

In Esthonia, the United States and Italy, the position remained much the same on the average for the two years in question,

<sup>1</sup> The statistics only date from November 1925.

but displayed a tendency to become more serious towards the end of the year.

*Esthonia.*

	1925	1926
Applicants for whom no situations were found (average of 10 months) . . . . .	2,100	1,800
Applicants for whom no situations were found (end of October) . . . . .	1,900	2,300

*Italy.*

Wholly unemployed on the register (average of 11 months) . . . . .	110,000	108,000
Partially unemployed on the register (average of 11 months) . . . . .	9,000	12,000
Wholly unemployed on the register (end of November) . . . . .	112,000	149,000
Partially unemployed on the register (end of November) . . . . .	5,000	7,000

*United States.*

Employment index (base 1923 = 100) (average of 11 months) . . . . .	91.1	92.0
Employment index (base 1923 = 100) (end of November) . . . . .	92.5	91.4

Little or no change took place in Latvia, the Netherlands and Russia.

*Latvia.*

	1925	1926
Applicants for whom no situations were found (average) . . . . .	2,710	2,750
Applicants for whom no situations were found (end of the year) . . . . .	5,100	5,200

*Netherlands.*

Percentage of insured unemployed (average of 11 months) . . . . .	8.9	8.5
Percentage of insured unemployed (end of November) . . . . .	9.1	9.5

In Russia, the number of applicants for whom no situations were found remained at about one million. The total number of unemployed in the country is estimated at two millions.

The only countries where the situation improved during 1926 were Australia, Belgium, Canada, Finland, Hungary and the Irish Free State.

*Australia.*

	1925	1926
Percentage of unemployed trade union members (average of the first 9 months) . . . . .	9.1	7.5
Percentage of unemployed trade union members (end of September) . . . . .	7.9	7.6

*Belgium.*

Percentage of insured unemployed, totally or partially (average of 11 months) . . . . .	5.5	4.1
Percentage of insured unemployed, totally or partially (end of November). . . . .	7.3	3.9

*Canada.*

Percentage of unemployed trade union members (average of 11 months) . . .	6.9	5.0
Percentage of unemployed trade union members (end of November) . . .	5.7	4.7

*Finland.*

Unemployed on the register (average of 11 months) . . .	2,600	1,900
Unemployed on the register (end of November) . . .	3,600	2,300

*Hungary.*

Percentage of unemployed trade union members (average of 11 months) . . .	17.8	16.2
Percentage of unemployed trade union members (end of November) . . .	15.6	12.3

*Irish Free State.*

Percentage of insured unemployed (average) . . .	17.5	12.2
Percentage of insured unemployed (end of the year) . . . . .	14.1	11.0

It will be noticed that in the two latter countries the proportion of unemployed remains extremely high in spite of the diminution which has taken place.

Statistics are still inadequate in too many countries, without taking into account those where they are completely lacking<sup>1</sup>, for it to be possible to draw up world statistics by adding them together. But it would probably not be far wrong to say that the total number of unemployed at the end of 1926 was in the neighbourhood of ten millions.

It is obviously necessary that every effort should be made to reduce this colossal figure of ten million unemployed by attacking the causes themselves of unemployment. The International Economic Conference will no doubt recommend immediate steps, and also lay the foundations of permanent action in all countries with this object. It will be a lengthy task, and positive results cannot be expected to come quickly. Meanwhile, the struggle against the evil was continued by the States in 1926. The results of their efforts will be examined in two parts. First, notes are given on the effect given to the Convention and Recommendation adopted by the Conference, and then a short review is given of the action taken on the different aspects of the problem in the various countries.

*Effect given in 1926 to the decisions of the Conference.*

128. — The following list shows the measures concerning the ratification of the Unemployment Convention and the most

<sup>1</sup> The monthly table published in the *International Labour Review* at present includes 22 countries as compared with 19 twelve months ago.

important provisions which have been adopted or proposed concerning the application of the Convention and the Recommendation on this subject, which have come to the notice of the Office since the preparation of last year's Report. The application measures also include measures which were not adopted or proposed specially to give effect to these decisions, but which are nevertheless connected with their subject-matter<sup>1</sup>.

*A. Convention concerning Unemployment (1919).*

*(a) Ratification measures.*

*Paraguay*: Bill approving ratification passed by Chamber of Deputies on 24 May 1926, and submitted to Senate.

*Kingdom of the Serbs, Croats and Slovenes*: Ratification registered on 1 April 1927.

*(b) Application measures.*

*Germany*: Act of 6 April 1926 relating to the term of office of assessors on the executive committees of employment exchanges.

Decision of the Minister of Labour of 1 July 1926 relating to reciprocity as regards British subjects, made under § 6 of the Order relating to unemployment benefit.

*Finland*: Employment Exchanges Act of 27 March 1926.

Decision of the Council of State of 22 April 1926 concerning the supervision of employment exchanges and the subsidies to be granted to employment exchanges and agents.

*France*: Decree of 9 March 1926 issuing regulations for public employment offices constituted under the Act of 2 February 1925.

*Irish Free State*: Statistics Act of 18 March 1926.

*Italy*: Regulations issued by the Royal Decree of 1 July 1926, No. 1130, in application of the Associations Act of 3 April 1926.

*Japan*: Regulations for employment agencies carried on for profit issued on 19 December 1925.

*Netherlands*: Employment Exchanges Bill (in preparation).

*Poland*: Order of 5 July 1926 concerning compulsory notification of vacancies for intellectual workers to public employment services.

Bill concerning compulsory use of employment exchanges (in preparation).

*Czechoslovakia*: Order of 18 August 1926 concerning notification of vacancies to public employment exchanges.

*Italy and Switzerland*: Declaration concerning unemployment insurance, in application of Article 3 of the Convention.

*B. Recommendation concerning unemployment (1919).*

*(a) Communications to Secretary-General.*

*Germany*: Recommendation approved by German Government. Part I applied by Employment Exchanges Act of 22 July 1922 and Orders relating thereto. Part II can be applied to some extent under Order of 4 October 1923 relating to the recruitment and employment of workers

<sup>1</sup> The measures taken to apply the Conventions or Recommendations concerning seamen and agricultural workers are given in the special paragraphs dealing with these classes of workers (c.f. *infra*, *Protection of Seamen*, and *Agricultural Workers*).



in foreign countries. Part III applied by unemployment relief regulations in force; Bill for the creation of an unemployment insurance system before the Reichstag. Part IV applied as far as possible by competent administrations (25 October 1926).

*Estonia*: Part I applied under employment exchanges system in operation since 1919. Part II of little interest in the absence of collective recruiting. Application of Part III not proposed owing to seasonal character of unemployment. Part IV applied as far as possible (15 May 1926).

*Japan*: The Government informed the Office in 1921 that Part I was partially applied, and was to be fully applied as soon as possible, that Part II was not applicable to Japan, that Part III was under consideration, and that Part IV was applied (4 August 1926).

(b) *Application measures.*

*Germany*: Acts of 17 January and 10 December 1926 relating to the amendment of the Order concerning unemployment benefit.

Order of 20 February 1926 concerning relief for the partially unemployed.

Orders of 1 March and 9 November 1926, relating to the increase of the rates of unemployment benefit.

Act of 19 November 1926 concerning relief for the unemployed during the economic crisis (*Krisenfürsorge*).

Act of 24 December 1926 relating to social insurance and unemployment benefit for workers employed on reparation work in other countries.

Unemployment Insurance Bill submitted to Reichstag.

*Austria*: XVIIIth (30 June 1926) and XIXth (16 December 1926) amendments to the Compulsory Unemployment Insurance Act.

*Finland*: Employment Exchanges Act of 27 March 1926.

*France*: Decree of 28 December 1926 relating to the subsidies from the National Unemployment Fund to the Departmental and Municipal Unemployment Funds.

Decrees of 19 November 1926 and 3 February 1927 relating to the State subsidy to unemployment funds.

*Great Britain*: Unemployment Insurance Act of 30 June 1926.

*Hungary*: Unemployment Insurance Bill (in preparation).

*Irish Free State*: Unemployment Insurance Act of 18 June 1926.

*Italy*: Decree of 16 June 1926 relating to the intermittent occupations admitted to unemployment benefit.

*Poland*: Order of 4 January 1926 relating to the categories of intellectual workers covered by unemployment insurance.

Act of 3 March 1926 amending § 5 of the Act of 21 October 1921 respecting employment agencies carried on by way of trade.

Order of 22 December 1926 concerning the calculation of employers' and workers' contributions to unemployment insurance.

Order of 22 December 1926 relating to extraordinary unemployment relief.

*Switzerland*: Appenzell (Auser-Rhoden): Act of 25 April 1926 and Order in application thereof of 6 September 1926 introducing optional unemployment insurance.

Basle Town: Act of 11 February 1926 and measures in application thereof of 2 November 1926 introducing compulsory unemployment insurance.

Berne: Act of 9 May 1926 introducing cantonal and communal subsidies to unemployment funds.

Neuchâtel: Act of 17 May 1926 relating to compulsory unemployment insurance.

Schaffhausen: Order of 30 June 1926 relating to optional unemployment insurance.

Solothurn: Act of 31 October 1926 relating to compulsory unemployment insurance.

The efforts which the various countries made in 1926 to battle with the problem will now be reviewed. In the first place, the maintenance of the unemployed has to be provided for. This is the essential aim of the Washington Convention which recommended the institution of effective systems of unemployment insurance.

129. *Unemployment insurance.* — In 1926 there were 19 countries with laws or public regulations indicating various stages of advancement in effective systems of unemployment insurance. They are quoted here with the approximate number of workers covered by the insurance system in each case:—

Australia (Queensland—150,000), Austria (1,000,000), Belgium (600,000), Bulgaria (no figures), Czechoslovakia (1,000,000), Denmark (250,000), Finland (25,000), France (120,000), Germany (16,500,000), Great Britain and Northern Ireland (12,000,000), Irish Free State (240,000), Italy (3,000,000), Luxemburg (no figures), Netherlands (280,000), Norway (50,000), Poland (1,200,000), Spain (no information is available for this country), Switzerland (200,000), Union of Socialist Soviet Republics (7,750,000).

It is true that *Germany* does not yet possess an insurance system in the strict sense of the term, but a Bill is about to be adopted transforming the present system of assistance, which provides for compulsory contributions from employers and wage-earners, into an insurance system. In *Spain* the application of the principle embodied in the decrees of 1919 and 1923 seems to have been extremely limited, while in *Bulgaria* the Insurance Act only came into force during 1926 and it is not yet known how it is being applied.

In any case, the results hitherto obtained are considerable, since according to the above figures there are more than 44 millions of workers covered to some extent against the risk of unemployment by the existing institutions.

Further developments are in sight, both as regards the extension of these institutions, and as regards the adoption of unemployment insurance in the social legislation of other countries. A Bill on unemployment insurance was drawn up in 1926 by the *Hungarian* Government, while the *Latvian* Parliament has requested the Government to draw up a similar Bill. With the same object in view, the *Swedish* Government has appointed a committee to enquire into the operation of the insurance systems in force in various countries. In *Greece*, the Government has announced that it intends to introduce a Bill on compulsory insurance at an early date. In the *United States*, Bills on unemployment insurance are still being considered by the parliaments of Wisconsin, Illinois, Massachusetts, Minnesota, Pennsylvania and New York. In *South Africa*,



the adoption of a system of unemployment insurance was recommended in the minority report submitted at the beginning of 1926 by the Economic and Wage Committee appointed in 1925.

In other countries, again, such as *Canada* and *Japan*, the adoption of an unemployment insurance system has been put forward or maintained by the workers' organisations as one of their principal claims for new legislation. Disappointment has also been expressed by the workers' organisations of *Australia* at the fact that the report of the Royal Commission on Social Insurance does not declare categorically in favour of unemployment insurance, and they have called for a Bill from the Federal Government. In the same way, complaints are made by the workers' organisations of the *Serb-Croat-Slovene* Kingdom on account of the fact that the unemployment fund created under the 1922 Act for the protection of the workers, which now amounts to more than 30,000,000 dinars, has not yet been utilised, in spite of the spread of unemployment, because the regulations required by the law have not yet been promulgated.

### 130. *Compulsory or optional insurance.*—

In nine of the 19 countries quoted above — Austria, Bulgaria, Germany, Great Britain, Irish Free State, Italy, Poland, Queensland, Russia — there are systems of compulsory insurance applying to the whole or part of the working population. The total number of insured persons under these systems approaches 42 millions.

In the ten other countries which have adopted or which already possess voluntary insurance systems subsidised and supervised by the Government—Belgium, Czechoslovakia, Denmark, Finland, France, Luxembourg, Netherlands, Norway, Spain and Switzerland—there are in all two and a half millions of insured persons.

Among these countries the situation of *Switzerland* is somewhat special and of considerable interest. The effect of the Federal Act of 17 October 1924, which was designed merely to subsidise the unemployment insurance funds instituted by private individuals or by the cantonal or communal authorities, was the creation of compulsory insurance systems in various cantons — Basle-Ville, Basle-Campagne, Glaris, Neuchâtel, Soleure, Thurgovy. The feature common to these various systems is that while they are compulsory as regards the principle of insurance, the workers are left free to join either a private insurance fund (the majority of these funds are created by trade unions) or a public fund which is really an auxiliary to the former. Other cantons — St. Gall, Zurich, Appenzell, Rhodes Extérieures, Schaffhouse, — while maintaining voluntary insurance for the cantons as a whole, compel the communes, subject to certain conditions, themselves to

institute compulsory insurance. In a third group of cantons — Argovy, Berne, Geneva, Grisons, Valais and Vaud — the voluntary funds are merely subsidised by the cantons, and of course by the Federal Government. In short, Switzerland offers an example of a composite system which is voluntary for the country as a whole but compulsory in certain cantons or in certain communes.

A movement towards compulsion is also seen in the Hungarian and American Bills mentioned above. It is also noticeable in countries which have hitherto practised voluntary insurance. In *Belgium* there is a Bill before Parliament for the creation of a system similar to that in force in the Swiss cantons where insurance is compulsory. In *Finland*, the Government has been requested by the Chamber of Representatives to prepare a compulsory insurance Bill. On the other hand, a similar Bill, which had been brought in in February 1926 by the *Norwegian* Liberal Government, was shortly afterwards withdrawn by the Conservative Government, but reintroduced as a private measure by the former minister, Mr. Oftedal. In *France* there is also a certain amount of uncertainty on the subject: though a proposal to include unemployment in the Social Insurance Bill had been accepted by the Health Committee of the Senate, the Trade Committee of the Senate decided on the other hand to separate that part of the Bill which was added by the Health Committee and which dealt with unemployment insurance from the rest of the Bill<sup>1</sup>. In *Czechoslovakia*, where the system of State additions to the amounts paid by the authorised trade unions came effectively into force in 1925, the opinion is expressed among the workers that it is inadequate, and in this case again free compulsory insurance is demanded. In *Roumania*, on the other hand, the trade unions are calling for subsidies for unemployment funds to be created by themselves.

### 131. *Industries or occupations insured.*

—While this movement towards compulsory insurance is progressing, there may also be noticed a tendency to extend the scope of insurance to additional classes of workers. One of the classes which have suffered the most during recent years, especially in countries where reckless inflation of the currency has been followed by sudden deflation, is that class which comprises non-manual and intellectual workers.

In *Poland*, where the number of intellectual workers unemployed is considerable, the Government, which had already afforded them gratuitous assistance during the latter months of 1925, has included them in the general unemployment insurance scheme. The Ordinance of 4 January 1926 lays down that any intellectual worker in receipt of less than 500 *zlotys* per month shall come

<sup>1</sup> See also under *Social Insurance* for an account of the French Bill.



under the unemployment insurance system, and further provides that this obligation refers particularly to engineers, technical workers, chemists, architects, building engineers, book-keepers, shop assistants, hospital staff, musicians, journalists, masters and officers of the mercantile marine, etc. It may also be mentioned in this connection that in *Denmark* an unemployment fund in receipt of State subsidies has been formed by actors on the same lines as other funds.

In other countries where compulsory insurance has not formally been imposed on new industries or occupations, its scope has been extended in effect by raising the wage limit up to which insurance is compulsory, or by laying down that above a certain wage or salary limit compulsory insurance is to be replaced by voluntary insurance. This is the case in the cantonal laws of Basle and Soleure in *Switzerland*, and is also the solution contemplated in the German Compulsory Insurance Bill.

Agricultural workers, on the other hand, form a category for which compulsory insurance has made little or no progress. In the intermediate system applied in *Germany*, certain clearly defined categories of agricultural workers may be insured, and this principle is maintained in the Compulsory Insurance Bill. On the other hand, in *Great Britain*, where the question has just been examined for the second time by a special committee, no result has yet been reached, as five of the nine members constituting the committee were in favour of an unemployment insurance system for agricultural workers while four were against. In the circumstances, the Government merely noted the conclusions reached and announced that no action thereon would be taken.

Again, in *Austria*, during a debate on the nineteenth amendment (16 December 1926) to the Unemployment Insurance Act, the Social Democratic Party called for the inclusion of certain classes of forest workers (woodcutters, etc.), but this proposal was not accepted by the majority, which also opposed a proposal to extend insurance to domestic servants.

132. *Extension of insurance in case of prolonged unemployment.* — A further clause which has been introduced into most insurance systems on account of the gravity and prolonged character of the unemployment crisis provides for the extension of the period during which the insured person is entitled to benefit. Like a number of other countries, *Austria* has decided to take steps to this end, and the maximum period for payment of benefit provided by the law was first of all increased from 12 to 30 weeks, and finally abolished altogether. It will readily be realised that these additional benefits involve considerable charges for the State, the

employers and the insured, which are all the heavier in that they increase as unemployment itself increases, and are consequently at their maximum when the economic situation is least favourable.

Austrian legislation has endeavoured to find a remedy for these different difficulties in the eighteenth amendment to the fundamental Unemployment Insurance Act, which lays down different methods of meeting the cost during the first thirty weeks and the exceptional expenditure which follows. The cost of insurance during the first period is entirely borne by employers and insured in equal shares. After 30 weeks the authorities (States and federated countries) accept responsibility for six-twelfths of the cost in the proportion of two-twelfths and four-twelfths respectively, while employers and workers share the remaining six-twelfths. Under the nineteenth amendment of 16 December 1926, this exceptional system remains in force until 31 December 1927.

On the same lines *Germany* has introduced a special system to meet prolonged unemployment. Under the original ordinance on unemployment assistance which dates from 16 February 1924 the normal period of benefit is 26 weeks, but it may be increased to 39 weeks. Further, under section 18 of the same ordinance, the competent authority may prolong this period up to a maximum of 52 weeks. Once this period has been passed no further benefit is paid. Since, however, cases of prolonged unemployment were comparatively frequent, an Act was adopted by the Reichstag on 21 November 1926 by which unemployed persons who have exceeded the maximum of 52 weeks benefit will be able to continue to draw benefit, the period being in principle unlimited. The Act on the subject applies, however, only until 30 June 1927. Furthermore, while the cost of benefit during the first 52 weeks is met from the ordinary sources (insured persons and employers four-ninths each, communes one-ninth) the additional benefit is met as to 75 per cent. by the Federal Government, and as to 25 per cent. by the commune in which the insured person is resident.

In *Russia*, unemployment benefit may be paid for two years in succession.

133. *Amount of benefit.* — Certain changes were made in the amount of benefit in 1926. In *Germany*, under an Ordinance of 9 November 1926, while the original rates were maintained for the first eight weeks of unemployment, they were increased from 10 to 15 per cent. as from the ninth week, so that the daily benefit including family allowances varies between 269 and 419 pfennigs a day during the first period according to the economic district and the locality in which the insured person resides, and from 269 to 438 pfennigs a day as from the ninth week. (The maximum and



minimum rates are less affected by the increase than the intermediate rates. The increase also specially affects unemployed with family responsibilities.)

In *France*, where the system of State subsidies to unemployment funds only affected benefits paid by unemployment funds up to 4 francs a day, this limit was increased to 5 francs a day by a Decree dated 14 November 1926. Further, under a Decree of 28 December 1926, the rates of benefit payable by municipal or departmental unemployment funds subsidised by the State were increased to 4.50 francs per day, apart from family allowances which might bring the amount of benefit up to a maximum of 12 francs per day for a single household, excluding the additional benefit which might be paid by local authorities without the State subsidy.

In *Switzerland*, the rates of unemployment benefit are fixed by cantonal regulations. They usually correspond to the insured person's wage and amount in some cantons in the case of the higher wages to 7 and 7.50 francs per day for persons with a family. It should, however, be added that the cantonal regulations are subject to a definite provision of the Federal Unemployment Insurance Act which lays down that the rate of insurance benefit may not be higher than 50 per cent. of the last wage (or, in case of partial unemployment, of the difference between that and the amount earned) for unemployed persons without dependants and 60 per cent. of the wage for unemployed persons with families.

In *Poland*, the rate of unemployment benefit varies between 30 and 50 per cent. of the wage according to the status of the unemployed person. The maximum wage hitherto reckoned in establishing the percentage is in the case of manual workers 5 *zlotys* per day. Under Regulations of 22 December 1926, this sum was increased to 6 *zlotys* 60 per day, in order that the rate of benefit should correspond to the depreciation of about 40 per cent. which had taken place in the Polish currency.

In *Russia*, the amount of unemployment benefit is low, varying between 8 and 12 *chervonez* roubles per month. Under recent regulations the rate of benefit will be graded as from 1 February 1927: skilled workers and intellectual workers with higher-grade diplomas will receive one third of the average local wage, semi-skilled workers, intellectual workers with secondary school diplomas and office and commercial employees will receive one quarter of the average local wage, while labourers and lower-grade non-manual workers will receive one fifth of the average local wage.

134. *International reciprocity.* — International insurance reciprocity, which was provided for in Article 3 of the Washington Convention on Unemployment, has been arranged by several Governments which are

desirous of ensuring the payment of benefit to their subjects when unemployed abroad. The following are the details of the progress made in this direction in 1926:—

*Germany*, which had already concluded reciprocity agreements with Switzerland, Czechoslovakia, Italy, Luxemburg, the Free City of Danzig, Denmark and Sweden, also concluded one with Great Britain on 1 January 1926. A still more far-reaching agreement covering every branch of social insurance has been concluded with Austria.

*Sweden* has concluded reciprocity agreements with Denmark, Norway, Germany, Switzerland and Czechoslovakia.

Other countries have refrained from concluding private agreements, thinking that Article 3 of the Washington Convention was sufficient to bind them in respect of the subjects of all other States which have ratified the Convention. Thus in September 1925, the *Swiss* Federal Council expressed the opinion that Article 3 of the Convention was a sufficient basis for reciprocity as regards unemployment insurance on a simple declaration of mutual consent, without the necessity of a formal agreement. Basing its action on this interpretation, the Italian Government requested the Swiss Federal Government at the end of 1926 to apply the reciprocal treatment provided for by Article 3 of the Washington Convention in Italian-Swiss relations.

135. *Finding of employment.* — In 1926 the number of countries in possession of a more or less complete system of public employment agencies as provided for by the Washington Convention on Unemployment had risen to 35. These countries comprise, firstly, the following twenty countries which have ratified the Convention:—Austria, Bulgaria, Denmark, Esthonia, Finland, France, Germany, Great Britain, Greece, Irish Free State, Italy, Japan, Norway, Poland, Roumania, Serb-Croat-Slovene Kingdom, Spain, Sweden, Switzerland, and the Union of South Africa—and, secondly, also the following fifteen countries which have not yet ratified the Convention: Argentine Republic, Australia, Belgium, Brazil, Canada, Chile, Czechoslovakia, Hungary, Latvia, Luxemburg, Morocco, Netherlands, New Zealand, United States, Union of Socialist Soviet Republics. The absence of India, which has ratified the Convention, from the first list is due to the special reasons which have prevented the institution of an effective system of public employment exchanges in that country.

Instances of the progress made in 1926 in the general organisation of employment agencies are to be found in the coming into force of the *Bulgarian* Act adopted in 1925 on unemployment insurance and the finding of employment, the adoption of a new Act in *Finland* on public employment agencies dated 27 March 1926, which came into force at the beginning of 1927 and which



compels every district with more than 5000 inhabitants to organise a public employment agency under joint control, and in the *French* Decree of 9 March 1926 which laid down the regulations to be complied with by all public employment agencies the legal position of which had been fixed by the Act of 2 February 1925.

On the other hand, in *Western Australia* a Bill on public employment agencies which had been introduced in 1925 has been rejected, and in the *Serb-Croat-Slovene* Kingdom a policy of economy has led the Government to limit the system of public employment agencies which formerly existed to those in the three largest towns only.

136. *Compulsory utilisation of public agencies.* — In all countries where unemployment insurance is compulsory, insured persons are required to attend the labour exchanges as long as they desire to draw unemployment indemnity. A similar rule is being gradually introduced in countries where insurance is voluntary, although in some of these countries supervision of the unemployed is still left entirely to the unemployment funds themselves. As a complement of the duty thus laid upon the workers, certain countries make it compulsory for employers to inform the labour exchanges of every vacancy in their establishments. In *Poland*, where this system was already in force for manual workers, it was extended to non-manual workers by an Order of 5 July 1926. A Bill drafted in October 1926 by the Labour Ministry goes still further in that it lays down that in certain districts or in the case of certain classes of establishments defined by the Minister of Labour employers are required, under penalty for refusal, not only to communicate their vacancies but to engage all their staff through the medium of the labour exchanges. Similarly, an Order was issued on 18 August 1926 by the Minister of Social Welfare in *Czechoslovakia* under which employers are requested in the event of the dismissal of a large number of their staff, i.e. more than 20 workers at the same time, to inform the labour exchanges of their intention to do so at least a week in advance.

In *Russia*, a return to the system of compulsory use of labour exchanges as the sole means of compelling employers to engage trade union members rather than workers from the country has been demanded by the trade unions. The Labour Commissariat has stated that it is impossible at the moment to re-establish this compulsory system which had been abolished since the introduction of the "new economic policy". At the same time, trade unions are required to include in collective agreements a clause providing that a certain proportion of workers are only to be engaged through the medium of labour exchanges.

137. *Employment exchanges for special industries.* — It is becoming more and more generally recognised that efficient finding of employment requires special treatment for different trades, at least in the more important centres.

With regard to seamen, this was recognised internationally by the Genoa Convention on facilities for finding employment for seamen which has now been ratified by 13 States. In accordance with the Convention it is laid down by the *Finnish* Act of 27 March 1926 that each important maritime town shall institute a special joint section for seamen in its employment exchange. Similarly, the Greek Government has created an employment exchange for seamen in the Piraeus. In *Japan* the placing of seamen, which had first been entrusted to a philanthropic institution, will in future be carried on by a joint commission consisting of shipowners and seamen's representatives which was decided upon at a meeting called by the Government on 2 September 1926. At the same meeting the hope was expressed that the Government would allot the necessary credits to the commission and would also take steps to suppress all private employment exchanges not supervised by the commission.

In the greater number of the other trades and occupations, the institution of special employment agencies is usually effected by administrative means, and it is difficult to give a complete picture of the progress in this direction in 1926. Mention may be made, however, of the opening of a special service for sick-nurses in the employment exchange of the Seine (*France*); the creation of a special employment exchange in Glasgow (*Scotland*) for agricultural workers, replacing the system of engaging workers in the street which has hitherto been carried on as in many other countries; and also a wider measure which forms part of the new *Finnish* Act mentioned above and which authorises supplementary government grants to local authorities for special occupational sections in their employment exchanges. Again, a special employment exchange has been opened for "untouchable" workers at Lahore (*India*) on account of certain caste prejudices.

138. *Transfers from one district to another.* — The finding of employment for workers of one district in another as required by the state of the labour market is furthered in *Finland* under the new Act of 27 March 1926 by special government grants. In *Italy* under a Decree of 4 March 1926 a permanent internal migration committee has been created which will facilitate the removal of persons in overpopulated districts to those which are underpopulated.

In *Japan* efforts are being made to stop the movement of country workers to industrial centres, and with this object it



has been decided, in the employment exchanges of three of the more important towns, to give priority to applicants already residing in these towns.

139. *Transfers from one country to another.* — Article 2 of the Washington Convention on Unemployment lays down that the operations of the various national employment systems shall be co-ordinated by the International Labour Office in agreement with the countries concerned. This principle was re-affirmed at the 8th Session of the Conference when a resolution was adopted containing a paragraph requesting the International Labour Office to encourage the creation and extension of public unemployment exchange systems and international co-ordination of these national systems, particularly for the collective recruiting of workers for employment abroad.

The Office has not failed to consider the action which might be taken to carry out these instructions, but in view of the complicated nature of the problem it has not been possible to go much beyond the stage of preliminary study. In one case, however, it has been possible to achieve positive results in the way of international finding of employment. With the help of the public employment services in different countries and also of certain private societies, the Refugee Service of the Office has succeeded in finding employment for more than 40,000 Russian or Armenian refugees in 1925-1926. It is true that this is a special case where methods are employed which are not always suitable to the finding of employment internationally for workers whose situation is not so exceptional as in the case of the refugees.

As regards international finding of employment or recruitment of labour, agreements more or less on the lines of the Washington Recommendation were concluded in 1926 between various countries. One of the principal categories of workers for whom this problem is of direct interest is agricultural workers. Under an agreement concluded between the *German* and *Polish* Governments in January 1926, the immigration of Polish agricultural workers into Germany was made subject to stringent conditions and the number of immigrants for 1927 limited to 100,000 as compared with 130,000 in 1926. According to a circular issued by the German Federal Immigration Office, foreign agricultural workers recruited in bulk may in principle only be admitted for the cultivation of sugar beet, and immigration by small groups of less than five is prohibited. Employment exchanges are required to supervise the application of these measures and to replace foreign labour by German workers whenever possible. With these objects, and in order to encourage the return of German workers to the land, special steps for the

construction of agricultural dwellings have been taken by the Prussian Minister of Social Affairs.

In *Austria*, again, efforts have been made to limit the seasonal immigration of Czechoslovak agricultural workers. Discussions took place at the end of 1926 between the two Governments concerned, and it was agreed that in principle Czechoslovak seasonal workers should only be authorised to remain in Austria between 15 March and 15 November. This agreement called forth some criticism from the Vienna Industrial Committee, which recommended vigorous action for the return of Austrian industrial workers to agriculture and pointed out that in the middle of 1926 there were three to four thousand skilled workers unemployed in the *Bürgenland* alone at a time when 15,000 Czechoslovak seasonal workers were working in Austria. It should be mentioned that the engagement of foreign workers in Austria is regulated by an Act dated 19 December 1925 on the protection of national labour.

Similar measures have been taken or considered in *Czechoslovakia*, where foreign workers can only be admitted on production of an immigrants' identity book—in *Bulgaria* where the authorisation of the Ministry of Commerce, Industry and Labour is required in order to engage foreigners—and in *France* where under an Act dated 11 August 1926 no foreigner may be employed unless he is provided with a special foreigners' identity card containing the word *travailleur*. During the first twelve months following the issue of the card it is in principle forbidden to employ a foreign worker in another occupation than that mentioned on the card.

Without adopting special measures of this kind, other Governments have introduced clauses restricting the admission of foreign workers in the regulations for passport visas, e.g., *Sweden*, *Norway* and *Denmark*.

Regulations restricting the employment of foreign workers have also been adopted by a number of States of Latin America. In *Chile* under a Decree of 11 November 1925 at least 75 per cent of the staff of any establishment where more than 5 persons are employed must be Chileans. This provision will only come into force after a period of 5 years in the case of industrial and commercial undertakings already established in the country. A similar provision has been introduced in *Guatemala*. In *Mexico* under Regulations of August 1926 the various mining undertakings are required to employ Mexican staff up to 90 per cent in the case of manual workers and up to 50 to 90 per cent in the case of technical workers. In *Salvador* under an Act dated 24 May 1926 the proportion of national workers to be employed in establishments in the country is fixed at 80 per cent, while in *Uruguay* under a



Decree dated 5 March 1926 the proportion is fixed at 60 per cent.

140. *Supervision or abolition of employment agencies carried on for profit.* — The development and improvement of free public employment agencies is gradually drawing both workers and employers from employment agencies carried on for profit, which so frequently take advantage of one or the other, and of which the abolition or at least the supervision were provided for both in a Recommendation of the Washington Conference and in the Genoa Convention on the finding of employment for seamen.

Various measures with one or other of these objects were added to social legislation in 1926. One of the countries where profit-making employment exchanges are most widespread is *Japan*. In that country there are still more than 10,000 employment agencies carried on for profit which are used annually by more than 500,000 workers. Since 1 January 1927 an Ordinance has come into force under which these undertakings are subject to the supervision of the authorities, particularly in the case of new agencies, which may not be set up without authorisation, and as regards the fees charged, which must also be approved by the authorities.

Similarly, in several *North American States* (Iowa, Michigan, North Carolina, Oregon and Wisconsin) steps were taken in 1926 to limit the fees charged by employment agencies, as well as to limit their activities.

In *Finland* under the Act of 27 March 1926 on public employment exchanges authorisation is also required in the case of private employment agencies. Such authorisation can only be granted for a period of three years and must fix the fees to be charged to applicants.

In *Poland* it had been enacted that fee-charging servants' registries should be abolished in 1926, but this measure has been postponed till 1929.

141. *Unemployment and public works.* — It would be tedious to refer to all the countries which carried out public works in 1926 in order to find employment for some of the workers who could not get work in private establishments. There are very few which have suffered from more or less acute unemployment which have not made the usual use of this palliative measure. It would be equally tedious to give a list of the various works carried out. Although the latter may vary to some extent from one country to another, they practically always include the improvement or reconstruction of means of communication (roads, canals, railways), building construction or repair, and employment for other workers than builders, quarrymen and labourers is only found indirectly. When it happens that skilled workers from other industries are employed directly on such

works it is frequently only at the cost of their occupational qualifications.

Greater interest would attach to statistics of the capital expended on work of this kind and to the number of working days provided. Such statistics, however, are difficult to procure in view of the multiplicity of central or local authorities who order such work and the practical impossibility of distinguishing between normal public works and additional works undertaken to remedy unemployment. Only fragmentary figures admitting of no comparison could be published here, and it would seem better to refrain from doing so. Mention may, however, be made of the adoption by the *German Reichstag* on 28 June 1926 of an extensive programme of so-called "productive" relief works which were to employ 500,000 men at least for a considerable period, according to a statement of Dr. Brauns, Minister of Labour. On the other hand, the activities of the Unemployment Grants Committee in *Great Britain* seem to have slackened, since the value of the works subsidised or paid for by the committee has dropped from 24 million pounds for 1923-1924 to 20 millions for 1924-1925, and 17.5 million pounds for 1925-26. The total work thus carried out since December 1920 represents more than 104 million pounds and the amount of employment given is estimated at 4 million men-months, or in other words the permanent employment of about 60,000 men during the 67 months of the period in question. In comparison with the huge number of unemployed during that period this figure, though far from negligible, shows how limited are the results of such measures.

Furthermore, in the latest report of the Committee the diminution of its activities is said to be justified by the fact that the encouragement given to public works may have the effect of turning aside some of the capital available for normal economic development and consequently of hindering rather than assisting the reduction in unemployment which must result from a resumption of regular economic activities.

This argument was strongly supported by Professor Cassel of Stockholm in a number of articles which were eagerly read, particularly in Germany, where they were refuted by other writers. If it be true, as Professor Cassel maintains, that any increase in public works must have the effect of restricting economic activity in other spheres which are necessarily deprived of the capital employed in public works, doubt will be thrown on the efficacy of the Recommendation of the Washington Conference which would reserve to some extent the work required by public authorities for periods of unemployment. It is obvious, however, that the total amount of capital available is not the only factor which determines the possibilities of employment at a given moment but the use



made of the capital must also be taken into consideration. It follows that work reserved for periods of depression must be such as to cause as little capital as possible to be immobilised and as much as possible to be paid in the form of wages.

In any case, the discussions taking place on this principle of social policy at the present moment illustrate the utility of the resolution of the Conference in 1926 to the effect that the advice of the Mixed Committee on Economic Crises should be sought on the financial obstacles to the putting into operation of the Washington Recommendation. With this object a memorandum prepared by the Office has been submitted to the Mixed Committee.

The same question was dealt with at a meeting of the International Association for Social Progress at Montreux in December 1926. The Association recommended the institution in each country of committees of experts to determine in agreement with the competent authorities the work or orders which it was possible and desirable to postpone until a slacker period. In Great Britain a Bill introduced by the Labour Party and inspired by similar considerations proposed the creation of a National Employment and Development Board to prepare in advance programmes of work which would increase the possibility of employing labour during periods of economic depression. This Bill was rejected on the second reading in the House of Commons on 5 March 1926.

142. *Prevention of unemployment crises.* — In accordance with the resolution of the 1926 Conference, steps have also been taken to lay before the Mixed Committee on Economic Crises the question of the possibility of reducing trade fluctuations by a scientific regulation of railway goods rates. Professor Wagemann of Berlin, the eminent Director of the German Institute of Economic Research, has been good enough to prepare a report which will be examined by the Mixed Committee.

It was unfortunately only possible for one session of the Committee to be held in 1926 — the session of 4 March referred to above. The meeting of experts on economic barometers which had been called for took place at Paris on 13-14 December 1926, as was stated above under the heading *Committees* (§ 57).

The problem of the prevention of unemployment, or at any rate the elimination or diminution of some of the fundamental causes of unemployment, so closely dependent on the development of statistics of economic phenomena, has continued to call forth a number of individual researches which contribute to the progress of the science on which all profitable action must be based. It is impossible to mention them here, but attention may be called to the report published in Great Britain by a private committee consisting of a certain

number of economists, employers and trade union leaders under the title *The facts of industry; the case for publicity*. The conclusions of the committee, whose authority is derived from the qualifications of its members, have not passed unnoticed. They recommend that statistics, where possible monthly, should be drawn up in each industry for the following: Production (amount of each product and, if possible, percentage of the full productive capacity of the industry); stocks (amount and increase or decrease during the period in question); supplies (amount and value); orders (orders not executed at the end of the annual period, orders received during the period, cancellations). The report also suggested that the Board of Trade should be invested with legal powers to call for these figures from manufacturers and that the industrial associations of a particular industry should be encouraged to meet and to publish themselves the information required.

Until such desires have been effectively satisfied in the different countries it can scarcely be hoped that effectual preventive measures can be taken against each of the numerous factors in the economic instability which lies at the root of unemployment. One factor has already been isolated, however, and recognised as one of the most important, i.e. the lack of stability in the buying power of money which causes fluctuations in the general price level. It is not meant to refer merely to exchange fluctuations, with regard to which some satisfaction may this year be derived from the legal stabilisation of the Belgian concurrency, but also, and in particular, to basic fluctuations in the monetary standard itself.

The problem of stabilising the purchasing power of gold, which had already been considered by the International Economic Conference at Genoa, has been again considered by the Preparatory Committee for the forthcoming International Economic Conference, and although it has not been formally placed on the agenda of that Conference it cannot be entirely left out of the general discussions of the Conference. It was requested by a sub-committee of the Preparatory Committee that the question should be submitted to the Financial Committee of the League of Nations for a preliminary examination.

Furthermore, the question is also arousing interest in certain sections of public opinion which are the most desirous of seeing progress in social legislation. At the meeting of the International Association for Social Progress at Montreux in December 1926 a report was read by M. Max Lazard on the question of credit control with a view to forestalling periodical crises of over-production and unemployment, and it was decided to submit the conclusions of this report to all the national sections of the Association as well as to a committee of experts.



It will be remembered that for several years past the American Federal Reserve Banks have effectively followed a policy of stabilising the purchasing power of the dollar. In 1926 a Bill was brought in by one of the Kansas representatives, Mr. Strong, with the object of strengthening this policy by adding it to the fundamental principles which the Federal Reserve Banks are required to observe. This proposal was carefully examined last year by the Committee on Banking and Currency Questions of Congress, and a number of experts including American and even foreign economists and financiers were heard. At the moment the proposal is following the usual parliamentary procedure. It is merely desired to mention here the interest which it aroused in the United States and the probability that the Office will be shown to have been right several years ago in recommending such a policy as the way to diminish certain economic fluctuations and consequently to reduce unemployment.

### *Migration.*

143. — The action taken in 1926 in connection with emigration is symptomatic of the increasing interest which is being attached to migratory movements.

To take the developments in international action first, in which there are a number of facts to record.

Preparatory discussions have been held in connection with the international conference on emigration and immigration to be held in Havana in 1928, in continuance of the Conference held in Rome in May 1924.

In June 1926 an important congress organised by the International Federation of Trade Unions and the Labour and Socialist International met in London for the purpose of discussing migration problems in general and defining the broad lines of policy to be pursued on this subject by the two organisations mentioned. The deliberations of the Congress emphasised once more the difficulty of reconciling the tendencies to liberty of migration which are especially observable in the countries of emigration with the tendencies in the direction of restrictions which are especially demanded in the countries of immigration. The Congress agreed on a programme of action. One of the principal points in this programme aims at the creation in connection with the International Labour Office of an international office for the preparation of Draft Conventions and Recommendations on questions of emigration and for securing the diffusion of complete and reliable information on migration.

The International Maritime Committee is endeavouring to establish a scheme of

compulsory insurance for passengers at sea, including emigrants. A meeting of the Committee will be held at Amsterdam in the beginning of August 1927 for the purpose of considering detailed proposals on this question which have been drawn up by a sub-committee of experts.

The International Conference of Private Organisations for the Protection of Emigrants, an institution of recent origin but already comprising about 50 private international and national associations, both European and American, of a most varied character, has undertaken an enquiry into the separation of emigrant families, which constitutes a serious problem at the present time. It has further undertaken enquiries into the question of official recognition of private organisations for the protection of migrants and into the best methods for securing the greatest possible co-ordination of the activities of the different associations belonging to the Conference in various countries.

The International Federation of League of Nations Societies, at its Annual Congress in June-July 1926, adopted interesting resolutions concerning emigration in relation to unemployment, labour conditions and the equitable treatment of foreigners. The International Association for Social Progress has undertaken a study of the legal status of aliens, and the different national sections of this Association have been asked to prepare reports on the subject for an early conference.

These has also been considerable action of a private and commercial character during the period covered by this Report. Reference may be made in particular to the creation of an international migration company, the object of which is to "assist and develop migration throughout the world and to participate in co-operation with the competent authorities in the various aspects of emigration and immigration."

Lastly, the League of Nations too has found it desirable to deal with migration problems, in conjunction with the International Labour Office. The various efforts undertaken by the Office in co-operation with the League of Nations have been indicated in the First Section of this Report, but it will be well to indicate here some of the results of this co-operation in the matter of emigration.

In the first place, reports have been prepared by the Office for the International Economic Conference on the legislation concerning the movement of labour and migration in general and on the various forms of emigration. The Economic Conference will in the course of its discussions consider the problem of population, equally with the financial problem, as a factor constantly present in the industrial, commercial and agricultural situation; and several of the individual questions set down for special consideration by the Con-



ference are closely bound up with the problem of emigration.

The Office has also continued to co-operate with the Advisory Committee for the Protection of Children and Young People and took part in the Passport Conference held in Geneva from 12-18 May, 1926, which adopted a large number of resolutions of special interest to emigrants, including resolutions relating to identity papers and transit and admission visas. Since this Conference sub-committees of experts of the Advisory Committee for Communications and Transit and the Advisory Committee itself have considered two proposals, one relating to passports for persons without nationality and the other to transit cards for oversea emigrants, both of which proposals are connected with the resolutions mentioned.

The result of the different activities above referred to is that the Office is more and more called upon to furnish an ever-increasing amount of information and to take further steps in the direction of international regulation. It is more and more recognised as the principal international centre for questions relating to migration. Some persons, the workers for example, even go so far as to reproach it with not treating the problem as a whole.

This has not prevented the competence of the Office being called in question even in this department of workers' protection. The International Labour Office has, however, always clearly distinguished purely political problems from the problems relating to the protection of migrants which were entrusted to it by the Peace Treaties. It has never sought to interfere in domestic questions. It has never tried to deal with the number and composition of the contingents of emigrants admissible into any country, or to enquire in any way whom a Government has the right to accept and whom to refuse. It has never asked for an international enquiry, which, moreover, is not demanded, into the grave political problems concerning the emigration and immigration of certain races and certain peoples, which have at present assumed a special and disturbing acuteness. On all these points there cannot be any doubt. There is no room for any conflict of competence. Nor has the Office any intention of dealing with the running of emigrant ships as a commercial undertaking or with the conditions in which travellers by land or sea are carried. It is in the representation of the interests of workers employed abroad, in questions of recruiting and placing labour, in the protection of workers against sickness and accident, in a word, in the legal protection of emigrants as conceived by the Peace Treaties, that the International Labour Office seeks to exercise its influence, and that is a sufficiently extensive field for its activity.

Nevertheless, the question was raised by the employers' group at the 8th. Session of the International Labour Conference. No Government, however, supported the motion for a declaration of incompetence, and the Conference, by a large majority, decided that the Organisation was strictly within its rights in considering the question of the simplification of the inspection of emigrants on board. Since then, no complaint has been lodged on this head with the international tribunals. On the contrary, when the question of night-work in bakeries was discussed before the Permanent Court of International Justice at the Hague, Mr. Borel, the representative of the employers, formally recognised the competence of the Organisation in the matter of the protection of emigrants.

Further, while the good relations which the Office has maintained with the International Maritime Committee have not prevented the raising of the question of competence in a matter concerning the shipowners, the relations with that organisation continue to be excellent and in a few weeks the Office will again co-operate with that body in the consideration of the important problem of the insurance of passengers on board, which is of direct concern to emigrants during their transport by sea.

Thus, while the Office pursues in a calm and practical spirit its work on the important problem of emigration, which continually occupies a more considerable place in the attention of civilised peoples, conflicting points of view are gradually being reconciled. The Office has only to continue on the lines it has followed during the last few years and to keep within the domain strictly defined by the Peace Treaty and the decisions of the Conference, and the question of competence will certainly be abandoned, while it will still be open to the Office to extend its work to the extreme limits which have been traced for it.

144. — What results the Office's work produced in 1926 is indicated in the following paragraphs, with reference first to the application of the Conventions and Recommendations already adopted and then to the statistical and scientific work in preparation for further decisions<sup>1</sup>.

*Effect given in 1926 to the decisions of the Conference.*

A. *Recommendation concerning reciprocity of treatment of foreign workers (1919).*

(a) *Communications to the Secretary-General of the League of Nations.*

*Estonia:* Foreign workers have the same rights as national workers except as regards insurance against accidents, the benefits of which are only

<sup>1</sup> See under *Unemployment* the effect given to the Recommendation on unemployment (recruiting of bodies of workers).



granted to foreign workers in virtue of special conventions with other States (Latvia, Finland) on a basis of reciprocity (15 May 1926).

*Germany* : Recommendation approved by the Government and already applied (25 October 1926).

*Japan* : The Government had informed the Office in 1921 that this Recommendation was already applied (4 August 1926).

(b) *Application measures.*

*Austria* : Act of 29 December 1926 concerning sickness, unemployment, accident and pensions insurance for salaried employees, providing for reciprocity of treatment in respect of these different branches of social insurance.

*Austria-Germany* : Agreement of 8 January 1926 providing for equality of treatment of nationals of each country working in the territory of the other in respect of certain branches of social insurance.

*Austria-Brazil* : Negotiations proceeding for an Agreement providing for reciprocity of treatment in respect of labour legislation and civic rights.

*Austria-Paraguay* : Negotiations on the same lines as with Brazil.

*Italy-Switzerland* : Declaration of 9 February 1927 concerning the reciprocal enjoyment of benefits under unemployment insurance.

*Czechoslovakia-Switzerland* : Exchange of letters of 12 February — 20 March 1926 providing for equality of treatment to the nationals of the two countries employed in the other in respect of unemployment insurance.

*Germany-Sweden* : Treaty of Commerce of 14 May 1926 (Article 3) declaring that the contracting parties undertake to examine the question of the treatment of Swedish workers in Germany and German workers in Sweden in respect of social insurance, with a view to granting as far as possible equivalent conditions. This matter will be dealt with in a special agreement.

B. *Recommendation concerning communication to the International Labour Office of statistical and other information regarding emigration, immigration and the repatriation and transit of emigrants (1922).*

(a) *Communications to the Secretary-General of the League of Nations.*

*Estonia* : The Government decided on 14 March 1923 to give effect to this Recommendation (15 May 1926).

*Hungary* : The National Assembly took note of the fact that the Government associated itself with this Recommendation (30 April 1926).

*Norway* : A report submitted to the Storting in 1924 stated that the Ministry for Social Affairs, on 22 June 1923, had given instructions for the application of Parts I and II of the Recommendation in accordance with the suggestions of the Central Statistical Office, and that Part III was being further considered by the Ministry (1 December 1926).

(b) *Application measures.*

(See below, page 143.)

C. *Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents (1925).*

(a) *Ratification measures.*

*Australia* : The Convention falls within the jurisdiction of the several States, and the Common-

wealth Government has decided to treat it as a Recommendation (ninth paragraph of Article 405). The Convention was brought to the notice of the State Governments on 29 October 1925 (replies have been received from South Australia, Western Australia, New South Wales, Queensland and Tasmania, and communicated to the Secretary-General of the League of Nations.) and was submitted to the Commonwealth Parliament on 14 January 1926.

*Austria* : A report of 3 December 1926 to the National Council proposed ratification.

*Brazil* : Presented to the Chamber of Deputies by its Social Legislation Commission.

*Czechoslovakia* : Ratification registered on 8 February 1927.

*Denmark* : Submitted to the Rigsdag in 1925.

*France* : Bill for the ratification of the Convention will shortly be submitted to the Chamber of Deputies.

*Germany* : Submitted for information to the Reichsrat and Reichstag.

*Great Britain* : Ratification registered on 6 October 1926.

*Greece* : Submitted to the Council of Ministers with a view to ratification, which will be considered by the Legislative Assembly recently elected.

*India* : The Government speakers announced the intention of the Government to ratify this Convention (debates in the Council of State of 10 February 1926 and in the Legislative Assembly of 18 February and 18 March 1926).

*Irish Free State* : Convention submitted to Dail Eireann on 28 May 1926 and to Seanad Eireann on 2 June 1926.

*Italy* : Bill to apply the Convention fully and completely in the Kingdom and in the Colonies submitted to the Chamber of Deputies on 15 December 1926. None of the provisions of the Convention will impose on Italy, as a result of ratification, international obligations necessitating amendment of existing legislation regarding accident insurance (bi-lateral agreements made by Italy with various countries — Argentina, Brazil, France, Germany, Hungary).

*Japan* : The Council of Ministers decided, on 2 November 1926, to approve the Convention and it was submitted to the Privy Council on 6 December 1926.

*Latvia* : Submitted to the Council of Ministers on 31 March 1926.

*Luxembourg* : Submitted to the Industrial Chambers within the competence of which the subject matter of the Convention falls.

*Netherlands* : Bill approving the Convention submitted to the Second Chamber of the States-General on 3 September 1926.

*New Zealand* : Laid before Parliament at its last session.

*Norway* : A Government report to the Storting in 1926 stated that the Convention was not in agreement with existing legislation in several respects. The National Insurance Fund was being consulted on the question of ratification and an exchange of views was in progress. The Parliamentary Committee on Social Questions proposed that the Storting should take note of the Government's report, and this was adopted on 7 July 1926.

*Poland* : Bill for the ratification of the Convention approved by the Council of Ministers on 12 December 1926 and submitted to Parliament.

*Portugal* : Ratification proposed to the competent authorities.

*Roumania* : Bill for the ratification of the Convention submitted to the Legislative Council.

*Kingdom of the Serbs, Croats and Slovenes* : Ratification registered on 1 April 1927.

*Sweden* : Ratification registered on 8 September 1926.



*Switzerland* : In a message of 7 June 1926 the Federal Council proposed to the Federal Assembly a draft Federal Order authorising the Federal Council to ratify the Convention, and to conclude with certain States arrangements for the equality of treatment of national and foreign workers as regards workmen's compensation for accidents. The Federal Order was approved by the Council of the States on 7 and 8 October 1926.

*Venezuela* : In a resolution of 4 June 1926, the National Congress accepted the general principles of the Convention and proposed their incorporation in legislation, in so far as the provisions of the Convention could be adapted and to the extent that the needs of the country demanded it.

(b) *Application measures.*

*Austria* : Bill for the amendment of § 42 (1) of the Accident Insurance Act (in preparation).

*British Commonwealth* : At the Imperial Conference held in October-November 1926, a resolution was adopted recommending the Governments of the several parts of the Commonwealth to consider the desirability of giving effect, in so far as they have not already done so, to the principles of the Convention in their workmen's compensation legislation.

*Canada (Quebec)* : Act of 24 March 1926 providing for equality of treatment for foreigners and nationals.

*Spain* : Labour Code approved by Decree of 3 August 1926 (Article 144) declaring that foreign workers shall enjoy the benefit of Spanish legislation concerning workmen's compensation in respect of industrial accidents; this also applies to dependants resident in Spain. Dependants residing abroad at the time of the accident will receive compensation due under Spanish legislation provided that the country of which they are subjects or citizens grants the same benefits to Spanish subjects in similar conditions, either under its legislation or as a result of special agreements.

*Austria-Argentina* : Agreement of 22 March 1926.

*Austria-Brazil* : Negotiations proceeding for an Agreement.

*Austria-Paraguay* : Negotiations proceeding for an Agreement.

*Germany-Poland* : On 12 January 1926, on the occasion of the signature of a provisional agreement concerning seasonal emigration, the two contracting parties agreed that in the further negotiations which were to take place with reference, *inter alia*, to the insurance of workers against industrial accidents, the Draft Convention concerning equality of treatment should serve as a basis.

*Great Britain-Denmark* : Convention providing for and facilitating the reciprocal enjoyment of their respective subjects and citizens of the benefits of the legislation in force in Great Britain and Northern Ireland and in Denmark respectively in regard to compensation for accidents arising out of their employment.

D. *Recommendation concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents (1925).*

(a) *Communications to the Secretary-General of the League of Nations.*

*Australia* : Falls within the jurisdiction of the several States (see under *Convention*). Replies received from the States forwarded to the Secretary-General of the League of Nations (September 1926).

*France* : Under examination by the competent administrative departments; a further communication will be addressed to the Secretary-General of the League of Nations (8 December 1926).

*Great Britain* : Accepted by the Government in agreement with law and practice in Great Britain and Northern Ireland (4 October 1926).

*India* : Submitted to the Indian Legislature (9 September 1926).

*Japan* : Approved by the Japanese Government on 2 November 1926; no distinction is made between national and foreign workers. When the necessity arises the Government can expediently proceed to apply the Recommendation without further legislation or revision of existing laws and regulations (31 December 1926).

*Netherlands* : Existing regulations — Royal Decree of 3 September 1921 — are in harmony with the Recommendation (12 February 1927).

*Norway* : Submitted to Storting in 1926 (1 December 1926).

*Poland* : Administrative practice, being based on legislation in agreement with the Convention (Act of 6 July 1923), is fully in accordance with the Recommendation.

*Sweden* : No special measures have been taken by the Government (8 September 1926).

*Other information.*

*Austria* : Acceptance of the Recommendation was proposed to the National Council in a report of 3 December 1926.

*Brazil* : Submitted to the Chamber of Deputies through the Social Legislation Commission.

*Czechoslovakia* : Submitted for approval to the Council of Ministers.

*Denmark* : Laid before the Rigsdag in 1925.

*Germany* : Submitted for information to the Reichsrat and Reichstag.

*Greece* : Laid before the Council of Ministers.

*Irish Free State* : Submitted to Dail Eireann on 28 May 1926 and to Seanad Eireann on 2 June 1926.

*Italy* : Laid before the Chamber of Deputies on 15 December 1926.

*Latvia* : Submitted to the Council of Ministers on 31 March 1926.

*New Zealand* : Submitted to Parliament at its last session.

*Portugal* : Submitted to the competent authorities.

*Switzerland* : The Confederation has already given effect to the Recommendation in so far as its subject matter is not within the jurisdiction of the Cantons; no special measures are therefore necessary. (Message of the Federal Council to the Federal Assembly of 7 June 1926).

(b) *Application measures.*

*Australia* : New South Wales : Workmen's Compensation Act, 1926.

(See also above under *Convention*.)

E. *Draft Convention concerning the simplification of the inspection of emigrants on board ship (1926).*

*Ratification measures.*

*Cuba* : Submitted to the National Congress for approval by a Presidential Message.

*Denmark* : Submitted to the Rigsdag on 8 October 1926.

F. *Recommendation concerning the protection of emigrant women and girls on board ship (1926).*

*Other information.*

*Cuba* : Submitted to the National Congress for approval by a Presidential Message.

*Denmark* : Submitted to the Rigsdag on 8 October 1926.



*Sweden* : The Government has requested the Department of Labour and Social Welfare to take into account the principles of the Recommendation in the course of its amendment of the legislation concerning emigration and similar questions (19 April 1927).

*Application measures.*

*Sweden* : Amendment of the legislation concerning emigration and similar questions (in preparation).

It will be seen that the Governments are beginning to send information on the measures adopted with a view to the ratification of the Draft Convention and the application of the Recommendation of 1926. It is clearly too early for ratifications of the Draft Convention to be registered, as the competent authorities have not yet had the necessary time for the indispensable procedure.

145. *Bilateral agreements.* — It is interesting, however, to note that a few months before the discussions at the International Labour Conference on the inspection of emigrants, the *Spanish* and *Italian* Governments had concluded an agreement in Rome "relating to co-operation between the respective emigration services for the protection and assistance of emigrants during the voyage". By this agreement, which was signed on 25 November 1925, each of the two Governments undertakes to see that, on vessels flying its flag, and authorised in accordance with its legislation to carry emigrants, the protection and assistance enjoyed by emigrant nationals shall be extended to emigrants and returning emigrants of the other country. Italian emigrant vessels embarking in or for a Spanish port a number of Spanish emigrants or returning emigrants equal to or less than 50 are exempt from the obligation to carry a Spanish medical officer and the other Spanish health officers which are usual, but must have a Spanish interpreter on board. The same provisions apply, *mutatis mutandis* to Spanish vessels as regards the carrying of Italian emigrants.

Various other bi-lateral agreements have been concluded since last year's Report. The number of ratifications alone does not give a true idea of the results of the decisions of the International Labour Conference. It frequently happens that agreements are entered into between States or that laws are promulgated which are obviously inspired by the principles accepted by the Conference, even where the Draft Conventions on the same subjects adopted by the Conference have not yet been ratified by the States concerned.

A Series of agreements have been signed by *Germany* and *Poland*, for regulating the various questions relating to the employment and treatment of nationals of one of these countries in the territory of the other. On 12 January 1926 a provisional agreement was signed between

these two States for regulating the most urgent problems affecting seasonal Polish emigration into Germany during 1926, and negotiations have been commenced for the conclusion of a definitive agreement. This is intended to deal, *inter alia*, with the question of compensation for industrial accidents, both parties having agreed that this point shall be regulated on the basis of the Draft Convention of 1925 concerning equality of treatment of national and foreign workers in respect of workers' compensation for accidents. On 9 December 1926, again, a new provisional agreement was signed by the two countries similar to that concluded on 12 January 1926 but applicable to the year 1927.

In the beginning of 1927 agreements were concluded by *Canada* with *Italy* and *Poland* providing for the immigration of a considerable number of Italians and Poles into the Dominion.

In 1926 *Czechoslovakia* introduced various amendments into the emigration agreements previously concluded with *Austria* and *France*.

The *Austrian* and *French* Governments have recently concluded agreements for regulating recruiting of Austrian workers wishing to obtain employment in France, but at the end of 1926 the condition of the French labour market led to a suspension of Austrian emigration to that country.

Several special agreements were concluded in 1926 between the *Belgian* and *French* authorities. One of these, dated 27 January 1926, simplifies the transit formalities imposed on emigrants passing through France and Belgium in order to reach their destination. Another agreement, to which the Grand Duchy of *Luxemburg* was a party, relates to the taxation of nationals of one State residing in the territory of another. Finally, it should be noted that negotiations are in progress between the *French* and *Spanish* Governments for the conclusion of a general emigration treaty.

In the matter of colonial migration, the principal agreement which has come to the knowledge of the Office is that signed on 22 July 1926 by the Governor of *Southern Rhodesia* and the High Commissioner for *Mozambique*, which regulates the recruiting of native labourers in Portuguese East Africa for employment in Southern Rhodesia.

It is impossible to enumerate all the various international agreements which have been recently entered into on questions relating to passports and visas, most of which have aimed at abolishing or simplifying formalities on both sides. These agreements should, however, be referred to, as they unquestionably affect, some



of them in a limited measure but others very appreciably, the movements of emigrants.

146. *Statistical documentation.* — It is unnecessary to point out that one of the principal points in the programme drawn up by the International Emigration Commission in 1921 and subsequently submitted to the Governing Body of the International Labour Office referred to the collection of statistical and other information, as an essential condition for the study of migration problems. The Governing Body subsequently placed this question on the agenda of the 1922 Session of the Conference, which adopted a Recommendation concerning the communication to the International Labour Office of statistical and other information regarding emigration, immigration and the repatriation and transit of emigrants.

This Recommendation has been completely applied in several countries, the Governments of which have transmitted to the International Labour Office the official communications provided for by the Recommendation. Apart from these Governments, however, certain others have forwarded to the Office statistical information of considerable value and in a general way the Office has reason to congratulate itself on the cordial co-operation of a large number of Governments in the work which it has undertaken for collecting and analysing statistics of migration and endeavouring to co-ordinate the various national statistics on an international basis.

Attention was called in last year's Report to the difficulties experienced in obtaining statistical and other information even of a purely official character, for various countries. It was further pointed out that, as statistics of emigration and immigration were compiled in accordance with methods differing considerably from one country to another, it was extremely difficult, not to say impossible, to make use of such statistics for purposes of international comparison. But the information which is now at the disposal of the Office represents a very considerable progress as compared with the information published only a few years ago: efforts are being made by various Governments to improve their national statistics on the lines of the 1922 Recommendation.

In 1926 the Office published its second annual report on migration movements, covering the years 1920 to 1924 and containing information on 74 countries, territories, etc., whereas the report published in the previous year only covered 60 countries. The countries which figure for the first time in the second report are Angola, the Azores, Basutoland, Cape Verde, Esthonia, Greece, Hawaii, Madeira, Martinique, New Caledonia, New Guinea, Nyassaland, Swaziland and Tanganyika. The information which the Office receives,

moreover, goes beyond mere annual totals of emigrants registered. In accordance with the 1922 Recommendation, it includes details as to sex, age, occupation, nationality and country of last or proposed residence.

147. *Retrospective statistical enquiry.* — Another of the Office's activities during 1926 was the conducting of a retrospective statistical enquiry into world migration statistics from the time when such statistics began to be compiled. This enquiry was undertaken at the request of the American National Bureau of Economic Research, which generously supplied the necessary funds. The results of the enquiry have been embodied in a report which will probably be issued during 1927.

148. *Information as to regulations.* — A resolution of the International Emigration Commission and the Recommendation by which the Conference gave effect to it provided, *inter alia*, for the communication to the Office of available information on the laws and regulations relating to emigration, immigration and the repatriation and transit of emigrants. Here too very appreciable results have been obtained, thanks to the co-operation of the competent authorities in a number of States. The information and the texts of laws and regulations on this subject which the Office receives from Governments are all the more valuable as the provisions in force and the policies followed have been the subject of frequent modification, particularly since the war. It is, moreover, of the highest importance for an emigrant to be able to inform himself exactly as to the provisions in force in the States through which he will have to pass or in the country for which he is bound. In the absence of accurate information, he runs serious risk of being refused admission on arrival at his destination or of having his plans upset through omitting to comply with certain formalities or taking certain indispensable precautions. In many countries there are already services entrusted by the authorities with the supply of information to emigrants, and the number of such information offices constantly tends to increase. The International Labour Office spares no effort to perfect its equipment as an international centre of information by collecting and analysing all the data affecting emigration which appear capable of being useful to Governments, associations and other bodies dealing with emigrants, and so rendering assistance to the latter.

The Migration Service of the Office is at present engaged in preparing and revising a second edition of the volume published in 1922 — *Emigration and Immigration, Legislation and Treaties*. This edition will contain a very detailed study of the laws, regulations, treaties and



conventions relating to migration in the various countries of the world based on the latest available documents. The service also continues the regular publication of the *Monthly Record of Migration*, the object of which is to keep all persons or organisations concerned with emigration continually informed of the principal events in this field and to analyse the statistics on migratory movements as soon as they are available.

149. *The present extent of migration.* — During the last half decade the information received by the Office from 74 countries shows a total of 10,040,471 emigrants (oversea and continental) and 12,168,131 immigrants (oversea and continental). The following are the figures for each of the five years :

Year	Emigrants	Immigrants
1920	2,166,681	2,686,516
1921	1,918,698	2,335,420
1922	1,656,169	2,081,152
1923	2,301,491	2,766,764
1924	1,997,432	2,298,279

The first thing that will be noted is the difference between the totals for emigrants and those for immigrants, the latter being in all cases higher than the former. The immigration figures are probably the more correct, as it is generally much easier to record persons arriving in a country than those departing from it.

The figures in the above table, though interesting as an indication of the general volume of emigration throughout the world, are evidently too vague to warrant any very definite conclusions. They include in fact both oversea and continental migration, which, however, constitute two very distinct currents. They lump together nationals leaving their country to settle abroad and aliens returning to their homeland, and aliens arriving in an immigration country in order to work there and nationals returning home. The report for 1920-24, which the Office has published, however, makes it possible to go somewhat further in the direction of precision and clearness, as will be seen from the following table, in which the totals obtained for the period under consideration are analysed according to the principal elements included :

*Oversea Migrants :*

	Emigrants	Immigrants
Nationals	3,805,310	1,422,373
Aliens	1,695,943	4,813,787

*Continental Migrants :*

	Emigrants	Immigrants
Nationals	2,607,631	951,475
Aliens	1,482,517	4,252,421

It is impossible in this Report to make an exhaustive study of the volume and composition of migration movements during the last few years. If they show

nothing else, however, the total figures given above emphasise the magnitude of migration movements, which, notwithstanding the unfavourable economic conditions of the present time and the large number of artificial barriers which such movements have to overcome, are still very considerable. The diminution from 1923 to 1924 appears to be exclusively due to a slackening of oversea migration. Continental emigration, on the other hand, does not appear to have varied greatly down to the last few months and the striking diminution in oversea emigration may be attributed to a large extent to the new Immigration Act of the United States, which came into force on 1st July 1924.

During the last century and almost down to the war the number of emigrants, most of whom were bound for a distant country, increased continuously and rapidly. From Europe alone, according to the Swedish statistician, Mr. Sundbärg, 50,000 individuals left for overseas in 1830 ; 100,000 in 1840 ; 400,000 in 1850 ; 600,000 in 1880 ; 800,000 in 1890 and 1,500,000 in 1910. The year preceding the war, in 1913, an even greater number left the continent, more than 2,000,000 according to the Italian statistics. The great majority of these emigrants went to the United States. About 40,000 emigrants from Europe and America entered that country in 1840, 400,000 in 1870, 800,000 in 1905 and 1,200,000 in 1913.

The new regulations have, however, produced a considerable reduction in the figures. During the six years from 1920 to 1925 emigration from Europe to overseas countries did not exceed an annual average of 700,000 persons, and the last three years for which records exist show a rapid decrease — in 1923 895,000 emigrants, in 1924, 574,000 and in 1925, 500,000. In 1926, for which no complete figures are yet available, the figure was undoubtedly somewhat higher.

This decline in oversea emigration is chiefly due to the policy adopted by the United States, which have increasingly restricted admission to European immigrants. In 1913 there were still nearly a million European immigrants, but this figure has been reduced by the operation of the new legislation to about 150,000 for the last year, and almost all these come from the countries of North West Europe. In the South Eastern countries there were more repatriations than departures.

Until the last few months France had to some extent taken the place of the United States and furnished a considerable market for foreign labour. This latter outlet, however, appears to be closing ; here, too, greater concern is now shown for the quality than for the quantity of immigrants, and restrictive regulations are increasing.

This decrease in migration movements has led to an effort to find new fields for emigration.



The most characteristic example of recent tendencies is furnished by the British Empire. Under very special conditions, in a world at once united and diversified, comprising side by side overpopulated countries and almost empty regions, a remarkable instrument has been forged in the shape of the Empire Settlement Act for the colonisation of vacant lands and the development of the Empire. The British Imperial Conference at its last sitting in 1926 emphasised the importance of colonisation.

150. *General tendencies of migration regulations.* — It is clearly impossible to enter into the details of the modifications which emigration and immigration policy has undergone in various countries during the past year, but it may be of interest to consider briefly its broad lines. The two principal currents, i.e. the tendency to restrictions and the tendency towards facilitating or even in some cases stimulating emigration, have continued to develop side by side. It would be difficult to compare their respective strength. All that need be said is that events for some time past have frequently produced the impression that the tendency to restrictions on movements of populations shows no sign of diminishing.

To take, first, the countries in which an active policy has been applied and those in which measures have been taken for encouraging emigration to a greater or less extent.

*Austria* in 1926 redoubled its efforts for finding employment for national workers abroad. In particular schemes of emigration to Russia and Brazil were set on foot.

In *Czechoslovakia*, emigration policy appears to have developed, an inter-departmental committee having been constituted for considering the measures calculated to promote emigration and, in particular, to indicate the points in which the existing legislation requires amendment. A series of steps have already been taken by the authorities with a view to considering the possibility of finding openings for Czechoslovak emigrants in various countries, particularly Canada.

In *Italy*, the National Credit Institute for Italian labour abroad has been organised and commenced operations.

In *Japan*, the authorities have undertaken measures for increasing colonisation in Hokkaido and plans for promoting emigration to South American countries. An opinion has been expressed in official circles that it is desirable to seek outlets for national emigration chiefly in Japanese possessions.

- In *Spain* the system of insurance of emigrants during the voyage has been further revised.

The only other point in the policy of emigration countries which need be referred to here is the increasing importance attached to the education and vocational training of emigrants before departure. This is a striking feature not only in *Italy*, but also in *Great Britain* and *Japan*.

As regards immigration countries, public opinion in *Argentina* appears to have taken increasing interest in the problems of immigration during 1926. The diminution in the number of immigrants registered in this country in recent times is apparently the principal motive of this revival of interest, and endeavours are being made to stimulate the movement of immigration and colonisation in the Republic.

In *Brazil*, an evolution in a similar direction appears to have taken place, to judge by the adoption of new regulations in certain States, and particularly in San Paulo and Minas Geraes, and the discussion of schemes of colonisation. The same is apparently the case, although to a more restricted extent, in *Colombia*, *Ecuador* and *Paraguay*.

Considerable efforts were also made in *Canada* in 1926 for stimulating immigration and it should be noted that these efforts have been applied not only to promoting British immigration, but also to facilitating immigration from countries in the European continent.

In *France*, during the greater part of 1926, foreign workers continued to arrive, although in somewhat smaller numbers than in 1925, when a diminution in the volume of immigration had already taken place. Since the end of 1926 the unemployment crisis in this country has brought about a sudden reversal of the policy previously followed, which showed itself in the practical suspension of all immigration of workers. Subsequently, however, some exceptions to the restrictions in force have been permitted in favour of the introduction of the foreign workers necessary for agricultural work.

In *Peru*, the establishment of a general immigration office appears to herald the adoption of a more active policy.

Among countries following a policy favourable to repatriation may be mentioned *Poland*, where the authorities have granted new facilities to Polish emigrants returning to their native country.

In other European countries measures have been adopted for regulating or limiting the immigration of workers — *Austria*, *Bulgaria*, *Denmark*, *Finland*, *Greece*, *Norway*, *Russia*, and the Kingdom of the *Serbs*, *Croats* and *Slovenes*.

In *Albania*, general restrictions on immigration have been introduced.



In *Germany*, prolonged discussion has taken place on the question of seasonal agricultural immigration, and provisions have been adopted by the authorities for reducing the volume of such immigration.

The *Mexican* Government promulgated an important Emigration Act in 1926, which regulates the movement of oversea and continental immigrants and emigrants in that country. During the same year new provisions were issued in *Costa Rica* for regulating the immigration of Orientals, and a number of Latin-American countries have introduced restrictions on the employment of foreign workers in commercial and other establishments in their territory.

In the *United States*, questions of immigration have continued to take an important place in Parliamentary activity. During the Session of Congress which opened in December 1926, a very keen discussion took place on a scheme for the amendment of the quotas of immigrants admissible, prepared in pursuance of a clause of the Act of 1924 known as the "National Origins Provision." The debate ended in an adjournment of the application of the clause in question until July 1928. The questions of the separation of immigrants' families and the deportation of certain classes of immigrants were also warmly debated in the United States in 1926. A number of proposals were made with a view to remedying the evils caused by the separation of immigrants' families, but none of these proposals has so far met with any success. As regards the deportation of certain classes of immigrants regarded as undesirable, a measure for making the existing provisions much stricter was submitted to Congress, but has not so far been adopted. On the other hand, the measures adopted by the American authorities for organising the inspection in Europe before departure of emigrants bound for the United States have been considerably extended, and it was recently stated that nearly 70 per cent. of such emigrants were inspected by American officials before embarking, which obviates the necessity of subjecting them to a rigorous examination on Ellis Island on arrival.

Emigration policy in the various parts of the *British Empire* deserves special attention, in view of the importance which is at present attached in these countries to the problems of emigration, immigration, and colonisation. The question of colonisation in the Dominions, was, as already stated, among the principal subjects dealt with by the Imperial Conference in October and November 1926, and a number of recommendations were made in regard to reduced fares for emigrants, land settlement, etc., with a view to stimulating generally the "re-distribu-

tion of the white population in the Empire." Some of these recommendations have already been adopted by several of the Governments concerned.

Among the numerous measures adopted in *Great Britain* in the matter of emigration attention should be drawn here to a careful enquiry by an inter-departmental committee into the effects of systems of social insurance on emigration. This enquiry was provoked by certain misgivings arising from the absence in the Dominions generally speaking of systems of insurance equivalent to those in force in Great Britain. The Committee arrived at the conclusion that the effects of systems of social insurance on emigration were of purely secondary importance.

In *Australia*, the Federal Government has appointed a Development and Migration Commission and steps have been taken for facilitating the application of an important emigration agreement with Great Britain under which 450,000 British immigrants are to receive assistance during a period of 10 years for settlement in Australia. Among the measures adopted by the States of the Commonwealth, one of the most important was the development in *Western Australia* of the group settlement scheme, the operation of which has been investigated on the spot by a representative of the British Government. On the other hand, certain States have introduced restrictions on the immigration of children.

In *Canada*, the most outstanding fact is the continued operation of the scheme for the settlement of 3,000 British families, which appears already to have made good progress. In this case also an enquiry has been conducted on the spot by a delegation sent out by the British Government.

In *Newfoundland*, on the other hand, an Act has just been passed for intensifying to some extent the restrictions on immigration.

In *India*, a scheme of emigration to *British Guiana* has been approved, and in *Ceylon* an important agreement has been concluded regarding the wages to be paid to immigrant Indian workers.

In what way can the Office assist in all this activity?

In the first place, by its statistical studies, it furnishes the means of ascertaining the intensity and extent of migration movements. In this way it has opened the way to the scientific study of such movements. In the second place, by its documentary and legislative studies, it furnishes the means of more clearly discerning the contradictory tendencies which



still exist towards restraining or encouraging migration. Without in any way interfering in the great political problems of the time, it can by the diffusion of common experience assist the different States in guiding their course among the various tendencies to which they may be inclined and establishing a coherent system in the matter of emigration and immigration.

### *Russian and Armenian Refugees.*

151. — In connection with emigration, there is one direction in which the task of the International Labour Office does not merely consist of research and organisation but also in every-day practical work. Since 1924 the Office has been required to assist in obtaining employment in various countries for Russian and Armenian refugees. The way in which this work is carried out has been described in former reports.

With the aid of certain special credits (about 300,000 francs) voted by the Assembly of the League of Nations and working through a small central section, a few special delegates, the national correspondents of the Office and a number of unpaid collaborators, the Office has co-ordinated opportunities for placing refugees, bringing them into contact with employers and obtaining facilities from the Governments for them to travel. Moreover, the High Commissariat of the League of Nations under Dr. Nansen is endeavouring to find a solution of the political problems which are outside the attributions of the Office and is advancing the requisite means to the refugees for their transfers. Organised in this way the work was successfully carried on during 1926.

In last year's report it was estimated that there were 233,000 Armenian and Russian refugees in Europe and China who were unemployed though able to work. According to the latest figures supplied by the various Governments and by the delegates of the Refugee Section, there are at the present time in all 159,000 of such refugees unemployed. This figure, however, does not include the number of unemployed refugees in Germany regarding whom the Government has not so far been able to supply precise information. In view of the unemployment crisis in Germany, which must obviously react seriously on the situation of the Russian refugees, it is improbable that the average number of unemployed Russian refugees in that country is less than that of last year when the figure stood at 83,000, which, with 10,000 Russian refugees at Shanghai, would bring the total number of Armenian and Russian refugees unemployed up to 252,000. The increase may

be largely accounted for by 20,000-30,000 unemployed Armenian refugees reported this year in Syria, on whose behalf the co-operation of the Office has been solicited, as well as on behalf of the 10,000 Russians at Shanghai. A number of these two groups of refugees, however, have been placed by the Office, and this reduces the net increase. The general increase of unemployment in Europe necessarily effects the refugees.

In 1925 employment is calculated to have been found for about 23,000 persons. In 1926, notwithstanding the difficulties arising out of the unemployment crisis and the practical closure of some countries which had hitherto received refugees with open arms, employment was found for a further 12,000. There is thus a total number of 35,000 Russian and Armenian refugees who have been placed in employment directly as a result of the efforts of the Office within a period of two years. These refugees came from the following countries :

Austria	Greece
Bulgaria	Latvia
China	Lithuania
Czechoslovakia	Poland
Esthonia	Serb-Croat-Slovene
Germany	Kingdom
	Turkey (Stamboul).

They were transferred to the following countries :

Argentine Republic	France
Armenia	Luxemburg
Australia	Mexico
Belgium	Paraguay
Brazil	Russia
Canada	Syria
Cuba	United States of America.
Egypt	Uruguay.

Nor should the indirect action of the Office be overlooked. In addition to the High Commissariat for Refugees, an advisory committee consisting of representatives of important private organisations has been set up. Relations with these organisations are constantly maintained, and opportunities for finding employment which come to the knowledge of the Refugee Section are communicated to them. When necessary the Office lends its support in relations with the Governments. In this way relations are entertained with the Jewish Colonisation Association, the *Verband Russischen Juden*, the *Zemgor*, the Save the Children Fund which has expended £120,000 in assisting refugee children, with the Russian Zemstvos Committee which maintains 75 schools for 5,000 children, the Lord Mayor's Fund which has brought relief to large numbers of destitute Armenian refugees in Bulgaria and Syria, and the *Union Arménienne*



*de bienfaisance* which made available the sum of £12,000 for the transfer of 5,000 Armenian refugees from Greece to Soviet Armenia in conjunction with the Refugee Section. Similar contact has also been maintained with the International Association for the Near East, which expended last year 5 million dollars on relief work.

Other examples of successful efforts made by the Office may be cited. In Germany, for instance, exemption has been obtained for the Russian refugees from restrictive measures applying to foreign workers. In Bulgaria similar exemptions have been obtained, and 5,000 applications have been made for *permis de séjour* for refugees. Transport tariff reductions in favour of refugees have been secured to the extent of 25 per cent. in Germany, 33 per cent. on the Danube, 25 per cent. on Austrian railways, 50 per cent. in Latvia and Lithuania, 75 per cent. in Poland and from 20 to 50 per cent. on various shipping lines. Furthermore, the French Ministries of Labour and Agriculture have entrusted the Office with the recruitment of all refugees offered employment in France, and the Argentine and Paraguayan Governments have authorised their consuls in Europe to furnish entry visas on certificates issued to the refugees by the Office or its delegates.

To leave out of account for the moment the numerous auxiliary but none the less fruitful activities of the Office, and to refer simply to the 35,000 refugees who have been placed in employment during the last two years, this task cost 600,000 francs, or roughly a capital expenditure of about 17 francs per head. The modesty of this expenditure may be gauged by a comparison of the heavy expense occasioned by unemployment.

The warning note uttered in last year's Report as to the possibility of smaller facilities for the employment of refugees through economic causes has been vindicated. Countries such as France to which numerous refugees had been despatched have been obliged to restrict, and sometimes even to stop completely, the acceptance of foreign labour. As early as 1925 the possibility of finding employment for refugees in the South American countries had been considered. The efforts of the Office in this direction have been described in former Reports. Two preliminary tasks had to be performed before this could be done. Firstly, the system of so-called identity certificates for refugees had to be improved and more widely accepted with a view to facilitating transfers. Secondly, in order to pay for journeys which were frequently costly a much larger revolving fund had to be found than that at the disposal of Dr. Nansen. The first step was the convocation of an Inter-Governmental Conference, as mentioned in last year's Report, which was held on 10-12 May 1926. The preliminary enquiries of the Refugee Section had

clearly defined the position as regards identity certificates. The system is now recognised by 49 Governments for Russian refugees and by 35 Governments for Armenian refugees. Notwithstanding the fact that such a large number of Governments had accepted the system, only a small proportion of refugees have been enabled to take practical advantage of the refugee passport. The lack of uniformity in the application of the system frequently precludes the refugees from obtaining the benefits contemplated at the time of the adoption of the respective identity certificate arrangements. Further, the removal of groups of refugees is a fairly heavy charge on the budgets of some countries, as was also shown by the enquiry. In Bulgaria, Czechoslovakia, Esthonia, Finland, Greece, Latvia, Poland, the Serb-Croat-Slovene Kingdom and Switzerland alone, the presence of refugees involved the Governments of these countries in a total annual expenditure of 20 million gold francs.

The Inter-Governmental Conference of 10 May, which was attended by delegates from 25 countries, recognised the necessity:—

(1) of regularising the systems of identity certificates for Russian and Armenian refugees;

(2) of determining in a more accurate and complete manner the number and situation of Russian and Armenian refugees in the various countries.

With these objects in view, the Conference adopted an Arrangement which includes a number of important recommendations calculated to advance the solution of the refugee problems, notably in regard to the definition of persons entitled to the refugee identity certificates, the return of refugees to countries from which they emigrated, the free issue of identity certificates, entry, exit and transit visas to indigent refugees, transport facilities, inclusion of children on their parents' identity certificates, etc.

It remained to constitute the revolving capital fund, the necessity of which had been recognised by the 6th Assembly of the League of Nations. Either of two systems might be adopted. It was possible either to call for a direct contribution from the various countries concerned or special taxes might be raised. The Inter-Governmental Conference favoured the proposal that the High Commissariat should issue a stamp, value 5 gold francs, to be purchased annually by every self-supporting refugee before his identity card or *permis de séjour* was issued.

In this connection a certain amount of misunderstanding and even opposition has arisen. It would appear none the less that the system as a whole has been well



received. It might be extremely effective were it not for the administrative or legal difficulties which have arisen in certain countries whose representatives were nevertheless present at the Conference.

In 1926 the total amount paid into the revolving fund was 121,131.29 Swiss francs. The Arrangement has been adopted by the following countries :

Austria	India
Belgium	Irish Free State
Bulgaria	Luxemburg
Denmark	Norway
Esthonia	Poland
France	Sweden
Greece	Switzerland
Hungary	

For the administration of the fund, a co-trustee has been appointed by the Governing Body — Mr. Jean Monnet, late Under-Secretary-General of the League of Nations — to assist Dr. Nansen. The moneys received will be principally utilised, as has already been said, towards paying the traveling expenses of refugees going particularly to the South American countries. The close contact maintained with the Governments of these countries gives ground for hoping that possibilities of establishing refugees will be provided.

In the case of the Armenian refugees, the steps taken for establishing 15 or 20 thousand of them in Soviet Armenia were referred to last year. It would appear that the scheme is unlikely to be realised in the immediate future. On the other hand, further steps may be taken in this direction as the result of a proposal of the French Government at the 7th. Assembly of the League of Nations. There are about 100,000 Armenian refugees, large numbers of whom are victims of unemployment and should be placed in situations. The 7th. Assembly requested the Organisation and the High Commissariat to respond to requests for co-operation which they might receive for the final establishment of these refugees, and particularly for co-ordinating the activities of private organisations which were working with similar objects. With a view to giving effect to these resolutions an International Phil-Armenian Committee was formed under the presidency of Dr. Nansen.

Mr. Johnson, Chief of the Refugee Section, undertook a mission to Syria in 1926 and helped to establish, in consultation with the Mandatory Power, a plan for the definitive settlement of the Armenian refugees. As a result of the arrangements then made, measures have been initiated which it is expected will result in the establishment of no fewer than 20 to 30 thousand Armenian refugees who are at the present time in a very precarious situation.

These, then, are the results which have been obtained or are expected in the

near future in regard to the two categories of refugees with whom the Office has to deal. The Governing Body was careful to specify that the mission accepted for the International Labour Office was temporary and of brief duration. The idea prevailed that it was a question of finishing up work which could only occupy a few years.

As was pointed out in last year's Report, however, the results hitherto achieved have attracted attention in a number of countries where unemployment is rife or where other refugees are present. In 1925 Austria asked that the facilities enjoyed in placing refugees should be extended to the unemployed in that country. This proposal was not accepted by the 6th. Assembly.

At the 7th. Assembly in 1926 the question was once more raised by the German delegation and received a certain amount of support. In view, however, of the opposition maintained by the British, Canadian, Australian and South African delegates, the German delegate withdrew his resolution. It is for the Assembly of the League of Nations to take steps in the matter. It is for the Governing Body to say whether or no a temporary task should be eventually transformed and consolidated into a permanent work. The Office is entitled to feel satisfaction at the fact that the results obtained and the services rendered are appreciated, but it cannot do other than conform strictly to the decisions of the Assembly and of the Governing Body. No astonishment need be felt therefore that it has systematically to refuse requests for assistance of such a kind.

The situation is somewhat similar in the regard to another problem of a more limited character raised by Mr. de Brouckère, Belgian delegate on the 5th Committee. At the instance of Mr. de Brouckère a resolution was adopted according to which the 7th Assembly invites the Council to request the High Commissioner for Refugees and the International Labour Organisation to "consider how far the measures already taken to give protection to, to provide employment for, and to afford relief to Russian and Armenian refugees can be extended to other analogous categories of refugees".

The Council accepted this proposal, but specified that it could only refer to "other categories of refugees who, as a consequence of the war and of events directly connected with the war, are living under analogous conditions (to those of Russian and Armenian refugees)".

On the proposal of Sir Austen Chamberlain, the Council requested the International Labour Organisation, "in order to facilitate the study of this question, to furnish any information which it may possess to show the extent and urgency of the problem".



It is again for the Council of the League of Nations to determine for what categories of refugees it is thought that protection, assistance and employment should be requested. This is the preliminary political decision. It will then be for the Governing Body to decide if this task should be accepted. These decisions must be awaited by the International Labour Office before any steps are taken to execute them. So far as the Office is concerned it is ready, if it is instructed to do so and the means are provided, to continue the work in which it is believed that results have been achieved and experience acquired, but which is none the less difficult and heavy with responsibilities.

### *Wages.*

152.—It is superfluous to lay stress on the importance of the wage problem for the International Labour Organisation. For the workers the problem is linked with the question of the standard of living, while for the employers it is bound up with the problem of costs and consequently with internal and international competition. The problem is extremely important in both cases, though the facts in it are manifold and frequently complicated to an extraordinary degree. It confronts the workers and employers in different ways. The former are chiefly concerned with the proportion between nominal wages and the cost of living, or, in other words, real wages. The latter are more concerned with the bearing of wages on the cost of the finished product and on labour costs in competing undertakings, especially abroad.

The wage problem, according to the standpoint from which it is viewed, is thus bound up with various other problems, changes in the cost of living, in wholesale prices, in industrial activity and the employment of labour, with the unemployment problem, exchange movements in relation to the gold value of labour in the different countries, variations in output per worker and in the output of machines, etc. In proportion as light is thrown on these different questions and their connection with the various aspects of the wage problem, the latter will be discussed with increasing understanding and rational agreements will be reached. This will involve very considerable scientific work, which will undoubtedly help towards establishing social peace.

Since its creation the Office has not failed to realise its duty in this matter, but it has recognised that it must proceed with care and first of all settle on proper methods of work. What has been accomplished in this direction was referred to

in last year's Report, when mention was also made of the documentary enquiries into wage-movements in different countries. The work of the Office in this field received a stimulus in 1926 from the preparation of the Economic Conference. Great international economic problems can never be solved unless problems relating to costs are dealt with at the same time. The Office took part in the documentary work of the Preparatory Committee and of the Secretariat of the League of Nations : it furnished information on wages for the reports on different departments of economic activity, and also drew up for the Conference a special report on *The standard of living of the workers in various countries*. With reference to this problem and others concerning labour conditions, the Office will also, of course, be associated with the efforts of the Conference to regulate international economic difficulties. The Office's enquiries into the wages question will thus cover a wider field, and the statistical information it collects will be more and more useful as a basis for settling difficulties.

The basis of all the Office's researches into wages is statistics. As already suggested, international wage statistics are a necessity, but international comparisons of wages are at once more desirable and more difficult than any other statistical comparisons. Hence the Office's constant endeavours not only to secure uniformity in statistical methods in co-operation with the competent administrations in the different countries, but also to ensure effective international comparisons of wage levels in the different countries.

Last year's Report described the purposes and methods of establishing the monthly and quarterly wage statistics published in the *International Labour Review*. It need only be said that these statistics indicate the average wages paid in the capitals of 22 countries for a typical 48-hour week, and for 18 occupations in the building, engineering, furnishing and book-binding trades. To compare these averages the purchasing power of each average wage is calculated in relation to the cost of a particular group of articles of current consumption. The differences in the nature and quality of the products consumed in the different countries and, more particularly, the difficulty of ensuring that prices are quoted for the same articles, made it necessary for the Office to confine itself to giving the prices of some 20 food products and to taking rents into account in calculating real wages.

Keen interest has been aroused in competent circles by these figures, but they are still far from representing accurately the relations between the levels of real wages in the countries covered. They are limited to certain towns, to certain



industries, to workers in a small number of occupations and to the prices of a limited number of food products, but it is felt that it would be difficult to draw up more complete figures by correspondence and that to give these statistics a wider range and improve their accuracy would require investigations on the spot.

If it were possible to obtain regular information on wages for workers in a large number of categories and for a larger number of towns per country, it might be possible to go into several important aspects of the wage problem. As stated above, the main object of the Office has hitherto been to compare the general level of wages as between one country and another. Differences in wages as between one industry and another, however, ought to be taken into consideration just as much as general averages. It would, for instance, be interesting to study a scale of wages in which the lower places are occupied by out-workers and similar categories, while the peak is occupied by certain classes of highly skilled workers. This would furnish a means of comparing the relative importance of the factors which fix wage levels. It would also be useful to go in to the coordination of wages in different industries in a particular economic region, or the fluctuations in wages during the different stages of an economic cycle, or the relations between wage levels and unemployment during times of crisis. The study of such problems would throw light on the general principles of wage policy.

Notwithstanding the decisive influence of wages on the conditions of production and consequently on international economic competition, problems of wage policy have hardly yet come within the range of international action. The legal fixing of minimum wages, for instance, has not yet been considered from the international point of view, notwithstanding certain efforts in this direction. But the war caused considerable changes in current ideas on the subject, and the question of minimum wages has forced itself on public attention in several countries. It is the first aspect of the wages problem to have been placed on the agenda of the International Labour Conference. This fact has enabled the Office to make a thorough study of the methods of fixing minimum wages in different countries: the report which has been issued will provide the Conference with full information on this important aspect of the protection of the workers.

But the problem of State regulation of minimum wages as a means of protecting workers against unduly low wages and employers against unfair competition constitutes a relatively small part of the general problem of wages. In most countries the rates fixed protect only a small

minority of workers; the wages of the great mass are regulated by collective bargaining. No doubt endeavours are made in practically all countries to facilitate the conclusion of satisfactory wage agreements between organisations of employers and workers. But such agreements would more easily be effected if accurate information on the facts of industry were available, especially as regards the capacity of industry to pay, so that it could be determined what wage rates were practicable. The more the facts are known, the narrower will be the margin of conflict and the greater the probability of the establishment of industrial peace.

In order that detailed research may be undertaken into the whole problem of wages, suggestions are being advanced as to the desirability of establishing national organisations representative of all the interests concerned. Such organisations would study both the general level of wages and the relative levels of wages in different industries in relation to the capacity of industry to pay. The Office could usefully contribute to this development by making comparisons of national statistics on the lines indicated above and by examining the international reactions of the different wage policies.

Another question to which the Office devoted special attention in 1926 was wages and other conditions of labour in the coalmining industry. It is unnecessary to repeat the statements given in last year's Report regarding the origin of this enquiry and the methods adopted by the Office. It may be pointed out, however, that the principal difficulty in carrying out this enquiry has been the differences in the character of the information available for the various countries. This difficulty emphasises the need for the establishment of greater comparability of data regarding labour conditions. With a view to obtaining comparable data for the coalmining industry the Governments of the countries in which coalmining is important were asked to furnish information on the basis of tables furnished to them, and replies giving the information required have been received from certain of these countries. It is to be hoped that the remaining countries will shortly supply their information, so that the Office may be in a position to complete its report.

The wage question is closely associated with family allowances. The Office has continued to study the development of this practice and to examine the different methods adopted or proposed. In most countries which have introduced the system, it has continued to develop, but usually on a voluntary basis. In France and Belgium family allowances in private industry are generally paid from equalisation funds constituted voluntarily by the employers and administered by them. The coalmining companies pay allowances



directly to their workers without establishing equalisation funds. Allowances are also paid to State employees. Demands have been made by the workers for State regulation of equalisation funds in private industry, but up to the present the voluntary system has been largely maintained. In the case of employees engaged on public contracts in France, under the Act of 19 December 1922 and Decrees of July 1923, membership of a fund has been rendered compulsory for firms entering into contracts with the State or with local authorities. Mention should also be made of the French Act of 22 July 1923 providing for the payment out of State revenue of an annual allowance in respect of every child after the third under 13 years of age.

In other countries in continental Europe family allowances are also paid to State employees. In private industry similar allowances are paid to a certain extent, especially in coalmining, generally in accordance with the provisions of collective agreements. However, the system has declined in importance in private industry since the restoration of more stable economic conditions, and has hitherto had little development outside France and Belgium.

In New Zealand a Family Allowances Act was passed in 1926, providing for the payment of allowances out of State revenues to persons who are not in good financial circumstances and who have families of more than two children under 15 years of age. In Australia, notably in the State of New South Wales, proposals are under consideration for the payment of family allowances to all workers on the basis of contributions by the State and the employers.

In Great Britain, the subject of family allowances has been widely examined by political and industrial groups, especially since the system was recommended by the Royal Commission on the coal-mining industry. Among the methods advocated for providing allowances is that of contributions by the State, employers and workers on the lines adopted in certain departments of social insurance.

On the subject of family allowances, the Office, in collaboration with various national and international organisations, including the Secretariat of the League of Nations, prepared a report at the end of 1926 for the League of Nations Advisory Commission for the Protection and Welfare of Children and Young People. This report, which is in continuation of a report presented a year ago, deals specially with family allowances in relation to the physical and moral well-being of children.

### *Scientific Management.*

153. — As the movement in favour of scientific management was referred to in last year's Report for the first time, it seems necessary to indicate briefly the progress made in this field during 1926.

The development of the movement in the United States of America was marked by no event of particular importance during this period. At the same time, the influence of the various organisations dealing with the matter has continued to grow, and the theory is being more and more applied. More method has been introduced into the attempts to apply the system as well as into the researches which are being made, and greater importance has been attached to the human element. Distribution problems are receiving more and more attention. The need for studying these problems is all the more urgent today because of their neglect in the past. It is customary in America today to say that distribution costs are greater than production costs and are the cause of more waste, and that the application of scientific management to manufacture would be useless without more efficient distribution.

Moreover, an increasing amount of research is being devoted to the administration of large establishments and public services. Stress was laid on this development by Mr. Hoover, whose interest in scientific management and whose services to American industry in the Department of Commerce are well known, in an article in the first number of the Bulletin of the International Scientific Management Committee:

"... The pre-war scientific management devoted itself chiefly to the minutiae of shop and office routine, rather than to broad questions of policy-making. Post-war developments have led to more scientific business administration, thus expanding, supplementing and guiding the development of the earlier types of scientific management. The development of more science in business rests fundamentally on the encouragement of industrial research. To carry over promptly the results of scientific determinations into the field of administrative and managerial practice is the best possible evidence of sound industrial progress. This progress shows itself in improved processes and methods, in elimination of waste, in greater security of employment, in higher wages, and in higher living standards."

A further outstanding feature in the development of the movement in America is the increasing influence of the "business schools" attached to the universities. This is illustrated in a remarkable way by the extraordinary growth of the Graduate School of Business Administration at Harvard, which has been endowed by generous benefactors with sums amounting to several million dollars. The instruction given during a two years course is



expressly intended for future industrial chiefs, bank managers, business men, etc. The students who enter the school already possess their engineering diploma, or have made advanced scientific or economic studies. By a combination of theoretical lessons and practical experience they become familiar with the various occupations awaiting them in their professions. Side by side with the technical aspects of their work the social aspects are also studied. In this way the new chiefs of industry acquire and develop a sentiment, so widespread in the United States, of their responsibility to the community and of social service. Close contact is maintained between former pupils and their more youthful comrades. The former pupils usually furnish the "cases" on which the students work under the direction of their instructors.

The example of Harvard University has long been followed by several other American universities. Attention is particularly drawn to the important part played by this high-grade instruction in training the industrial chiefs and employers of the new American generation. The example has also begun to be followed by some of the English universities, several advanced German technical schools and certain special schools in France.

Emphasis should also be laid on the increasing desire of heads of industry who are experienced in scientific management to combine their efforts with those of specialists in industrial relations. Ever since the open adhesion of the leaders of the American workers' movement to the general principles of scientific management, the latter is regarded in the United States as one of the most effective elements of cooperation between the various factors in production. From the psychological point of view, research and application in the United States appear less developed than in Europe. Mention should however be made, on account of its originality, of the important work done by Dr. Elton Mayo on the monotony of work at the University of Philadelphia.

In Europe the most characteristic feature of the development of the movement during 1926 appears to be the considerable interest taken in it by industrial organisations. In addition to the numerous specialising institutions already in existence which were mentioned in last year's Report, special committees have been formed by employers or workers in various countries. In Italy the Fascist Confederation of Italian Industry has played an effective part in creating the *Ente Nazionale Italiano per l'Organizzazione scientifica del Lavoro*. It supports this institution financially and furthers its work among its own members. In France last year a committee on scientific management was appointed by the French General Confederation of Production, followed by

a special committee appointed by the Union of Metallurgical and Mining Industries for the study of questions of special interest to the metallurgical industries.

Nor has the workers' movement remained inactive. Numerous enquiries of a far-reaching character into scientific management have been made in the press and at trade union assemblies. Particular mention may be made of the articles which appeared in October and November 1926 in the *Atelier*, published by the French General Labour Confederation. In Austria a special section for scientific management has just been created at the *Arbeiterkammer* at Vienna.

Every day and in every country a growing amount of literature on scientific management appears. Those more particularly interested in the question may consult with advantage the remarkable publication which has been issued since 1926 by the *Ausschuss für Wirtschaftliche Verwaltung* at Berlin, entitled *Das Betriebswirtschaftliche Schrifttum*, which gives a monthly *resumé* of all articles and publications which appear. The scope of research and of application of scientific management is constantly increasing and extends more and more beyond industry in the strict sense of the word. Reference may be made in this connection to the tentative efforts made for the first time last year to apply systematically the new methods to agricultural work. The initiative for this in the international field is due to the International Institute of Agriculture at Rome. The International Labour Office has also contributed to the investigations carried out. The problem is on the agenda of the International Agricultural Congress of Rome, which is to be held in May 1927, and will no doubt give rise to a full discussion.

Researches have also been made in Germany primarily, but also in France and England, with a view to applying scientific management in commercial houses, in banks and in insurance companies.

The vitality of the movement is shown not only by the amount of literature on the subject and the increasing number of cases in which the system is applied but also by the progress and development of the influence of scientific management institutions. To quote one example only, mention may be made of the part played in Germany by the *Reichskuratorium für Wirtschaftlichkeit*. This institution owes its authority and objective outlook to the liberal subsidy contributed by the German Government. It is supported by industrial organisations and the more important engineers' associations, who in their turn benefit from its activities. The principal task of the *Reichskuratorium für Wirtschaftlichkeit* is to promote "rationalisation" in every branch of economic life.



With this object all those concerned are called upon to take part in common work in which the initiative is taken by the *Reichskuratorium* and which is encouraged by it. The *Reichskuratorium* is an independent organisation for which funds are provided by the Government. It follows that it is able to work in entire independence, but it is none the less obliged to expend its funds in the interest of the country as a whole.

Instruction in scientific management is everywhere undergoing rapid development. Until now it has been technical and somewhat piecemeal in character, but it would no doubt be desirable to introduce uniformity into methods of instruction and to secure agreement in the various countries as to the terminology employed.

Probably the most important phase of the development of the movement in Europe is the increasing influence which is being exercised in every country by rationalisation ideas and methods. Rationalisation simply means understanding and applying every means furnished by technical knowledge and well-thought-out organisation to increase output. Its object is to increase the comfort and wellbeing of the population as a whole by lowering prices, increasing the quantity and improving the quality of economic products. The expression is no doubt fashionable at the moment, more especially in Germany and recently in France, but the ideas which it implies are in reality nothing more than the principles of scientific management applied broadly to productive activity as a whole. If attention has been drawn, particularly on the eve of the Economic Conference, to problems of general organisation, the inevitable result will be the application in detail of methods of scientific management. There would be no advantage in attempting to rationalise economic methods from above without applying proved principles of scientific management patiently and humbly in the workshop. To do so would probably mean losing all sense of reality and of practical possibilities and of falling into an excess of bureaucratic methods such as were recently denounced by Mr. Stalin in regard to Russia.

The vigorous development of scientific management can hardly fail to cause investigations to be made in many quarters into its various social effects. The subject is being examined to-day in many European countries, particularly in Germany and France. Authoritative opinions have already been expressed and the question will be raised by the International Association for Social Progress at its forthcoming Congress at Vienna in September 1927.

From the international point of view, emphasis should be laid on the progress effected last year by the International

Scientific Management Committee and the work this Committee as well as the Office and the Twentieth Century Fund have done for the creation of the Scientific Management Institute which is referred to in another part of this Report. (cf. § 47.)

#### *Vocational Education.*

154.—In last year's Report attention was drawn to the action being taken in the different countries to investigate new methods of vocational training and to the endeavours which had been made to apply these methods. Further progress was effected in 1926. During that year increasing interest was taken in the technical preparation of the future worker, not only by educational authorities, but also by employers' and workers' organisations.

In the field of *vocational guidance*, the institutions which were already in existence continued to develop in the normal way during 1926. In addition, a vocational guidance Institute was created at Lisbon and a vocational guidance Office at Bucharest.

In *Belgium* and in *Germany*, special endeavours have been made to train persons skilled in vocational guidance, in short to train "guidance advisers". Special courses have been organised for this purpose.

In *France*, since a national committee on vocational guidance was appointed, efforts have been made to unify the different methods of vocational training. Comprehensive reports have been submitted on the rôle of the school in vocational guidance, the type of medical card to be adopted and the classification of occupations.

In *Great Britain*, the Industrial Psychology Institute had undertaken, in collaboration with the Industrial Fatigue Research Board, a detailed enquiry which covered 1,000 children in a particular part of London for the purpose of determining what occupations suited them best when they left school. This inquiry, the results of which were published in 1926, lasted three years, and thus gave the investigators an opportunity of testing their first observations and appreciating the value of the suggestions which they had made on the basis of those observations.

The question of *apprenticeship* has also attracted the attention of the Governments and organisations of employers and workers. Bills were considered and Acts adopted during 1926.

In *Western Australia*, apprenticeship Regulations drawn up by the Industrial Arbitration Tribunal have been approved by the Governor. These regulations apply to apprentices in certain specialised crafts, trades or industries.

In *Belgium*, the Minister for the Colonies has submitted a draft Decree on apprenticeship contracts for teaching the natives of the Congo the practice of a particular occupation or trade for which a general in large-scale industries.

In *Germany*, the Government has appointed a committee of enquiry into the system of production and distribution in industry. This committee has appointed a sub-committee which is investigating the question of recruitment from among artisans and the question of skilled labour in large-scale industries.

In *Sweden*, a Bill on apprenticeship in certain industries which was prepared by the Ministry of Labour and the Ministry of Public Education was submitted to the industrial organisations, to the boards of management of technical schools and to other bodies. As a result of the criticisms made by these bodies, the Ministry of Labour, the Ministry of Public Education and the Ministry of Social Affairs are at present reconsidering the problem. They will shortly submit a final report to the Government.

Employers have shown their interest in apprenticeship in different ways. In *Germany*, the official journal of the German Employers' Associations has expressed the opinion that fresh legal regulations on apprenticeship are premature at the moment and suggest that for the time being the supervision exercised by the industrial organisations in this matter is sufficient. In this connection the idea has been expressed that the organisation of vocational training is one of the tasks which it is most to their advantage that employers should help to carry out: it enables employers and workers to collaborate in agreement and without conflict of interests in helping to establish social justice in this particular field. In *France*, in pursuance of a wish expressed by the employers' apprenticeship conference in 1925, representatives of the national industrial federations and the district organisations which deal with apprenticeship have decided to set up a central inter-occupational apprenticeship committee which will act as a permanent body for keeping in touch with, collecting information on, and investigating all questions affecting the vocational training of manual and non-manual workers.

On the other side, the workers have expressed their desire to see joint apprenticeship committees appointed on the lines of the committees which have proved

beneficial in the countries where they exist, e.g., South Africa and Wisconsin.

Further attention was also given in 1926 to the question of the number of apprentices in relation to the number of adult workers. This question has been considered either with a view to reducing the number of employed apprentices (Czechoslovakia, Germany), or for the opposite purpose of encouraging the employment of apprentices (New Zealand, United States).

Lastly, a standard apprenticeship contract drawn up by employers' and workers' organisations belonging to the same trade or similar trades has been adopted in a number of countries (France, Germany, Great Britain, etc.).

In the field of *technical education* mention must first be made of the big enquiry undertaken in *Great Britain* by the Board of Education in agreement with the Ministry of Labour, the first results of which were published at the end of 1926. As was pointed out in last year's Report, the object of this enquiry was to investigate public education in England and Wales in its relation to the requirements of industry and, in particular, the methods which enable young persons to find suitable and stable employment. Similar enquiries were undertaken in Scotland and quite recently in the Irish Free State.

In *Brazil*, the Government has begun the codification of the provisions affecting apprenticeship schools, thus showing the interest which is beginning to be taken in Latin American countries in the question of the vocational training of the future worker.

Workers' and employers' organisations have taken an active part in the development of vocational education institutions. In particular, *Belgian* manufacturers organised at Brussels, on 7 September 1926, an "employers' day" on vocational and technical education. On this occasion Mr. Jules Carlier, President of the Central Industrial Committee of Belgium, said, *inter alia*, in his speech: "At Geneva, where I have to go so often, I have learnt the imperative necessity for employers to make vigorous endeavours for the diffusion and renaissance of vocational education. At Geneva I heard some workers' delegates say to us—'What are you doing to raise the standard of your workers'? I recognise that, as a matter of fact, we employers are not doing enough, and I am therefore endeavouring to help the movement which we are inaugurating to-day".

In *Great Britain*, the Federation of British Industries decided to give its assistance to the committee of enquiry on technical education which was set up by the Government, and for this purpose it drew up a questionnaire which it has addressed to all its members.



The workers' organisations, too, have continued to emphasise during 1926 the great importance they attach to the technical training of the future worker. Evidence of this is furnished by the different resolutions adopted by trade union congresses (Germany, Great Britain) and the statements published in workers' journals (Canada, Roumania, etc.).

In *Germany*, following on the creation of an education committee by the employers' organisations, the workers' unions have decided to set up a similar body in order to define their points of view, which body will be known as the Trade Union Committee on Vocational Training.

In the Union of *South Africa*, the workers' unions have asked to be directly represented on the management committee of the technical institutes.

To sum up, 1926 shows that action is being increasingly taken in the different countries and thus slowly preparing the way for the opportunity of dealing with the problem internationally.

### *Industrial Hygiene.*

155. — It is perhaps in the sphere of industrial hygiene that the International Labour Organisation can obtain its most valuable results, since here the direct and immediate object of its work is to save human lives. In the present sub-section the various aspects of the Organisation's work are reviewed, first with reference to the application of the decisions already adopted by the Conference, and then with reference to the preparation of further reforms.

#### *Anthrax.*

##### *A. Effect given in 1926 to the Recommendation concerning the prevention of anthrax (1919).*

###### *Communications to the Secretary-General of the League of Nations.*

*Australia : Tasmania :* The Prime Minister of the Commonwealth communicated to the Office information supplied by the Government of Tasmania concerning the situation in that State. Anthrax is a notifiable disease, but extremely rare and no legislation is considered necessary beyond that in force dealing with contagious diseases in cattle (23 March 1927).

*Esthonia :* Esthonia is not a wool-producing country, and since the importation of wool is of very slight extent the Recommendation does not call for any special measures. Legislation in force, however, makes it possible to proceed to the disinfection of wool (15 May 1926).

*Japan :* The Government informed the Office in 1921 that enquiries had been made into the methods of disinfecting wool suspected to contain anthrax spores, pending other decisions of the Conference on the subject (4 August 1926).

##### *B. Recommendation concerning the protection of women and children against lead poisoning (1919).*

###### *(a) Communications to the Secretary-General of the League of Nations.*

*Esthonia :* Recommendation applied by Act of 20 May 1924 concerning the employment of children and of women in industrial undertakings, and Regulations of 31 March 1913 concerning the establishment of factories and workshops for the manufacture of lead products (15 May 1926).

*France :* The publication of the Decree of 24 September 1926 extends, in the sense of the Recommendation, the measures previously taken in France for the protection of women and children against lead poisoning (8 October 1926).

*Japan :* The Government informed the Office in 1921 that § 10 of the Factories Act gave effect to the Recommendation (4 August 1926).

###### *(b) Application measures.*

*France :* Decree of 24 September 1926 to amend the Decree of 21 March 1914 concerning dangerous employments for children and women.

The disinfection of hides and skins is the aspect of anthrax infection which most prominently occupied the Office during 1926. The fact is that the handling of hides and skins constitutes an important source of anthrax infection.

The enquiries organised by the Mixed Sub-Committee on Anthrax<sup>1</sup> in Belgium, France, Great Britain and Italy, bore especially on the possibility of applying the method proposed by Hailer, but these enquiries have not really given satisfactory results so far. In particular, the resistance of hides to treatment unfortunately proved that this method could not be applied technically. The Sub-Committee, therefore, felt it necessary to make further experiments and communicated with Mr. Hailer in order to obtain further information from him concerning certain details of his process.

In the light of experiments made by the Director of the Naples Station for the treatment of hides and skins, who has been employing sulphur baths for some time past, it would be interesting to study the biological action on the spores of the sodium sulphate employed in tanneries, regard being had to the concentration of the solution, the time for which it is applied and, in general, all the conditions under which it is employed for treating skins. One of the experts of the Sub-Committee, Professor Ottolenghi, has agreed to make these investigations.

<sup>1</sup> See ante, § 54.

Although certain employers have voluntarily offered their moral and material assistance in the work of the experts, the laboratory research which is necessary in order to check the experiments in tanneries is bound to involve not inconsiderable expense. The Health Organisation of the League of Nations having already provided a small sum to meet this expense, the Governing Body of the Office, on the suggestion of its experts on the Mixed Sub-Committee has also agreed to contribute 2,000 francs.

The problem is not a simple one, and its solution is not easy. For some years past experts and employers in various countries have proposed and tried various methods which have not always been successful and to which serious objections have sometimes been taken. To reconsider all these methods, to test them, not in the laboratory but in factories, to compare the results from the bacteriological and technical points of view — all this requires considerable time and money. It is a fact that the problem of the disinfection of hides and skins contaminated by anthrax spores affects a large number of workers, and not only those directly affected but also many employers' organisations are urging the Office to hasten the finding of a solution which would enable them to avoid this serious occupational risk; but it is equally clear that it will only be possible for the Office to conclude its enquiries successfully if it is provided with the necessary funds.

In November 1925, a Conference took place at the British Home Office which was attended by representatives of the United Tanners' Federation and the Amalgamated Society of Leather Workers to study the means of preventing anthrax infection in the handling of hides and skins. The British Manufacturers' Research Association, too, has come to an agreement with the Department of Scientific and Industrial Research for the carrying out of experiments on the disinfection of skins.

#### *White Lead.*

#### *156. — Effect given in 1926 to the 1921 Convention.*

##### *(a) Ratification measures.*

*Belgium*: Ratification registered on 19 July 1926.

*Greece*: Ratification registered on 22 December 1926.

*Netherlands*: Act of 10 June 1926 reserving to the Crown the right to ratify the Convention.

##### *(b) Application measures.*

*Belgium*: Act of 30 March 1926 concerning the use of white lead and other lead paints.

*Great Britain*: Lead Paint (Protection against Poisoning) Act, 1926, came into force on 1 January 1927.

*Netherlands*: Bill to amend the Workers' Safety Act and Decree concerning it (in preparation).

*Poland*: Draft Decree of the President of the Republic (in preparation).

*Sweden*: Act of 19 February 1926 prohibiting in certain cases the employment of workers in painting in which lead paints are used.

The progress made in the ratification of the White Lead Convention is so far satisfactory and is all the more important from the moral point of view because the bitter controversy which began in 1921 does not appear to have completely subsided. Not only does it appear that influences are at work internationally for the purpose of hindering ratification, but the old controversies were recently revived once more in the British Press, on the occasion of the resignation of Sir Thomas Legge from the post of Senior Medical Inspector of Factories. It would serve no purpose to refer to these controversies further here. The question is not in what circumstances Sir Thomas Legge tendered his resignation, nor how a certain meeting at the Sorbonne was organised. The real question is whether white lead poisons and kills, and whether in order to prevent these effects it is desirable that the States should ratify the 1921 Convention. The duty of the Office is two-fold: first, to endeavour to promote ratification of the Convention and, secondly, to supply information which will help to abolish for ever the abuse which has already cost the lives of so many workers.

Some countries which are thinking of ratification have opened further enquiries on the prohibition of the use of white lead. To assist them the Office has thought it advisable to publish the information collected for the purpose of the 3rd Session of the Conference. The information has naturally been brought up to date, account being taken of the scientific, technical and legislative developments during the course of the past five years. The Report which has been published comprises five parts:— history of the movement in favour of or against the employment of white lead in painting; medical data (symptomatology and diagnosis of lead poisoning); statistical data published in the various countries on morbidity and mortality amongst painters; technical and economic data on painting with white lead or zinc white or other pigments in the building industry, in the construction of wagons, ships, bridges, manufacture of wood and metal furniture, etc.; information as to legislation, more particularly legislation on the regulation or prohibition of the use of white lead. The appendix to the volume contains copies of resolutions approved by scientific bodies, a list of the laws and regulations in the various countries on the use of white lead in painting and an account of the discussions which took place at the 1921 Conference.



157. — *Establishment of Government Health Services.*

(Effect given in 1926 to the 1919 Recommendation.)

*Communications to the Secretary-General of the League of Nations.*

*Estonia:* A system is in force which ensures effective inspection of factories and workshops. In addition, the general Public Health Administration of the Ministry of Labour and Social Welfare is entrusted with the protection of the health of the workers (15 May 1926).

*Germany:* The Government has approved the Recommendation. The Recommendation does not require any special steps to give effect to it. Throughout the territory of the Reich a factory inspectorate exists which is maintained by the Governments of the German States in accordance with § 139b of the Industrial Code. This factory inspectorate is also entrusted with the protection of the health of the workers (9 August 1926).

*Japan:* The Government informed the Office in 1921 that a system of factory inspection had been working since 1916. The factory inspectorate controlled the enforcement of the Factory Act, and experts were studying methods of accident prevention and of improving health conditions (4 August 1926).

158. — *Use of White Phosphorus.*

(Effect given in 1926 to the Recommendation concerning the application of the Berne Convention of 1906 on the prohibition of the use of white phosphorus in the manufacture of matches (1919).)

*Adherence and other measures.*

*Bulgaria:* The Bulgarian Legation at Berne on 1 November 1926 notified to the Swiss Federal Council the adherence of Bulgaria to the Convention.

*Chile:* A Presidential Message of 12 November 1926 submitted to the Senate a Bill to authorise the Government of Chile to adhere to the Berne Convention. Washington Recommendation already approved by the Government (10 August 1925).

*Irish Free State:* The British Legation at Berne informed the Swiss Government on 15 April 1926 that the Government of the Irish Free State considered itself bound by the Convention.

159. *Compensation for occupational diseases.* — There are two facts to note in this connection for 1926: first, a considerable number of Governments took measures to give effect to the decisions of the Conference on occupational diseases, and, secondly, important work was done by the Office on the question.

A. *Effect given in 1926 to the Convention concerning workmen's compensation for occupational diseases (1925).*

(a) *Ratification measures.*

*Australia:* Falls within the jurisdiction of the various States. The Commonwealth Government has decided to treat the Convention as a Recommendation (paragraph 9 of Article 405). It was communicated to the State Governments

on 29 October 1925 (replies received from South Australia, Western Australia, New South Wales and Tasmania, and communicated to the Secretary-General of the League of Nations), and also submitted to the Commonwealth Parliament on 14 January 1926.

*Austria:* A report of 3 December 1926 to the National Council stated that occupational diseases except anthrax, which the accident insurance institutions treat as an accident, were not covered by accident insurance legislation. A Bill concerning workers' insurance introduced in the National Council classed occupational diseases with industrial accidents, and provided for a list of diseases which would contain at least those enumerated in the Convention, and could from time to time be amended by regulation. Consideration of the Convention would be postponed until this Bill has been passed. The Bill was adopted by the National Council at the beginning of April.

*Brazil:* Submitted to the Chamber of Deputies by its Committee on Social Legislation.

*Czechoslovakia:* The scope of the Convention exceeds that of existing legislation; amendment of the accident insurance legislation will make ratification of the Convention possible.

*Denmark:* Convention submitted to the Rigsdag in 1925.

*France:* The Convention is under preliminary consideration by the Ministry of Labour, Health and Social Welfare.

*Germany:* Convention submitted for information to the Reichsrat and the Reichstag. Existing legislation already provides for compensation as for accidents for the occupational diseases enumerated in the Convention, but anthrax infection is not considered as an occupational disease but as the result of an accident. The legislation makes compensation for occupational diseases applicable only to those industries covered by accident insurance. The list of insured industries does not entirely correspond to the list of industries and diseases given in the Convention; a Bill extending the scope of accident insurance will be introduced.

*Great Britain:* Ratification registered on 6 October 1926.

*Greece:* Submitted to the Council of Ministers for ratification, which will have to be discussed by the recently elected Legislative Assembly.

*India:* Resolution adopted by the Council of State on 10 February 1926 and by the Legislative Assembly on 18 March 1926 recommending the Governor-General in Council to ratify the Convention.

*Irish Free State:* Convention submitted to Dail Eireann on 28 May 1926 and to Seanad Eireann on 2 June 1926.

*Italy:* A report submitted to the Chamber of Deputies on 15 December 1925 states that the whole question of legislation on workmen's accident compensation is being closely examined with a view to completing amendment. Owing to the connection between the question of accident compensation and compensation for occupational disease, the Government is postponing its decision on the subject of ratification.

*Japan:* The Council of Ministers decided on 2 November 1926 to adopt the Convention which was submitted on 6 December to the Privy Council.

*Latvia:* Submitted to the Council of Ministers on 31 March 1926.

*Luxembourg:* Submitted to the Industrial Chambers within whose competence the subject matter of the Convention especially falls.

*Netherlands:* Bill reserving to the Crown the right to ratify submitted on 3 September 1926 to the Second Chamber of the States-General.

*New Zealand:* Submitted to Parliament at its last session.



*Norway*: A Government memorandum submitted to the Storting in 1926 states that the existing Act on compensation for accidents covers only accidents in the strict sense of the word. The question whether occupational diseases should not be classed with industrial accidents is being examined, but the examination has not yet been completed. The Parliamentary Committee on Social Questions proposed that the Storting should take note of the Government memorandum. The Committee's report was adopted by the Storting on 7 July 1926.

*Poland*: Bill for ratification of the Convention approved on 12 December 1926 by the Council of Ministers and submitted to Parliament.

*Portugal*: Ratification of the Convention has been proposed to the competent authorities. The general provision of the Act concerning industrial accidents covers all the cases provided for in the Convention.

*Roumania*: Bill for the ratification of the Convention submitted to the Legislative Council.

*Kingdom of the Serbs, Croats and Slovenes*: Ratification registered on 1 April 1927.

*Sweden*: Government decision of 13 July 1926 not to adhere to the Convention at present. The administrations concerned have been instructed to hold an enquiry, taking into account the provisions adopted by the Conference, and to draft a Bill concerning compensation for occupational diseases.

*Switzerland*: The Federal Council stated, in a message to the Federal Assembly of 7 June 1926, that § 68 of the Federal Act of 13 June 1911 concerning sickness and accident insurance, classes occupational diseases with industrial accidents and instructs the Federal Council to draw up a list of the substances the production or use of which leads to these diseases. This list was issued by Decree 1 bis concerning accident insurance of 20 August 1920; it does not include anthrax infection. The Federal Council is considering an amendment of the Decree to include it. A draft Federal Decree to authorise the ratification of the Convention has been submitted to the Federal Assembly, and was adopted on 7-8 October 1926 by the Council of States.

*Venezuela*: Resolution of 4 June 1926 of the National Congress accepting the general principles of the Convention, and proposing to embody its main provisions in legislation so far as they can be adapted and so far as the needs of the country require.

#### (b) *Application measures.*

*Australia*: Tasmania: Bill concerning workmen's compensation for occupational diseases introduced in Parliament.

*Austria*: Act concerning workers' insurance adopted by the National Council at the beginning of April 1927.

*Czechoslovakia*: Bill to amend accident insurance legislation (in preparation).

*France*: Bill to amend and supplement the tables in the schedules of the Act of 25 October 1919, extending to occupational diseases the Act of 9 April 1898 concerning industrial accidents, introduced in the Chamber of Deputies on 24 February 1927.

*Germany*: Bill to extend the scope of accident insurance (in preparation).

*India*: Act No. 36 of 1926 to amend the Workmen's Compensation Act, 1923.

*Italy*: Bill to amend the legislation concerning workmen's compensation for accidents (in preparation).

*Netherlands*: Bill to extend the scope of the 1921 Act concerning accident insurance (in preparation).

*Poland*: Bill concerning sickness and invalidity insurance, and insurance of dependants (in preparation).

*Sweden*: Bill concerning workmen's compensation for occupational diseases (in preparation).

*Switzerland*: Amendment to Decree 1 bis concerning accident insurance, of 20 August 1920, issued under § 68 of the Federal Act of 13 June 1911 concerning sickness and accident insurance (in preparation).

### B. *Effect given in 1926 to the Recommendation concerning workmen's compensation for occupational diseases (1925).*

#### (a) *Communications to the Secretary-General of the League of Nations.*

*Australia*: Falls within the jurisdiction of the various States (see under *Convention*). Replies received from New South Wales and Tasmania and communicated to the Secretary-General of the League of Nations (September 1926).

*France*: At present being examined by the competent services. A further communication will be addressed to the Secretary-General of the League of Nations (8 September 1926).

*Great Britain*: Accepted by the British Government; in conformity with the law and practice at present in force in Great Britain and Northern Ireland (4 October 1926).

*India*: Submitted to the Indian Parliament (9 September 1926).

*Japan*: Approved by the Government on 2 November 1926. The Acts and Regulations do not specifically enumerate the various occupational diseases, but apply in general to what are known as occupational diseases. When fresh diseases may be considered occupational the Government can if necessary add them to the existing list without amendment of the Acts and Regulations in question (31 December 1926).

*Netherlands*: The Government will examine how far legislation can be adapted to the Recommendation when the Accident Insurance Act of 1921 is amended; this amendment will make it possible to ratify the Convention concerning workmen's compensation for occupational diseases (12 February 1927).

*Norway*: Submitted to the Storting in 1926 (see under *Convention*) (1 December 1926).

*Poland*: A Bill concerning sickness insurance, invalidity and insurance of dependants also includes insurance against occupational diseases, and is in conformity with the provisions of the Recommendation. The Recommendation will be applied when this new legislation comes into force (15 February 1927).

*Sweden*: The Royal Government has instructed the competent authorities to examine the question and to prepare a Bill (8 September 1926).

#### *Other information.*

*Austria*: Submitted to the National Council by report of 3 December 1926. The Government proposed that the examination of the Recommendation should be postponed until after the passage of the Bill concerning workers' insurance, which took place at the beginning of April 1927.

*Brazil*: Submitted to the Chamber of Deputies by its Committee on Social Legislation.

*Czechoslovakia*: (See under *Convention*).

*Denmark*: Submitted to the Rigsdag in 1925.

*Germany*: Submitted for information to the Reichsrat and Reichstag.

*Greece*: Submitted to the Council of Ministers.

*Irish Free State*: Submitted to Dail Eireann on 28 May 1926 and to Seanad Eireann on 2 June 1926.

*Italy*: Submitted on 15 December 1926 to the Chamber of Deputies.

*Latvia*: Submitted to the Council of Ministers on 31 March 1926.



*New Zealand*: Submitted to Parliament at its last session.

*Portugal*: Submitted to the competent authorities.

*Switzerland*: In a message of 7 October 1926 to the Federal Assembly, the Federal Council stated that Article 68 of the Federal Act concerning accident insurance instructs the Federal Council to draw up a list of substances the production or use of which leads to occupational diseases. The Federal Council can, by Decree, amend or add to the list which was issued in Decree 1 bis concerning accident insurance, of 20 August 1920; this procedure is in conformity with the Recommendation.

(b) *Application measures.*

*Australia*: Tasmania: Bill concerning workmen's compensation for occupational diseases introduced in Parliament.

*Austria*: Act concerning workers' insurance adapted by the National Council at the beginning of April 1927.

*Czechoslovakia*: Bill to amend the Accident Insurance Act (in preparation).

*Netherlands*: Bill to extend the scope of the Accident Insurance Act of 1921 (in preparation).

*Poland*: Bill concerning sickness and invalidity insurance, and insurance of dependants (in preparation).

*Sweden*: Bill concerning workmen's compensation for occupational diseases (in preparation).

These are very noteworthy results. Like the Convention on workmen's compensation for accidents, referred to in the sub-sections on social insurance (*infra*, § 165), the Convention on compensation for occupational diseases has already come into force, although it was only recently adopted by the Conference. Besides, a considerable number of Governments have considered the Convention and submitted it to the competent authorities.

It will be remembered that the system adopted in the drafting of the above Convention was that a list of occupational diseases in respect of which compensation should be payable was embodied in the Convention. The list includes only poisoning by lead, its alloys, or compounds and their sequelae, poisoning by mercury, its amalgams and compounds and their sequelae and anthrax infection. The question arises whether it would not be desirable in the near future to propose additions to this list and to add certain characteristic diseases or poisonings in respect of which compensation should also be payable. In view of certain requests and claims that have been made, the Correspondence Committee on Industrial Hygiene and Safety was instructed to consider the diseases which should be added to the list. At its last meeting (Düsseldorf, September 1926) two different methods were put forward. While some members of the Committee considered that the latter should lay down the principles by which occupational diseases should be determined<sup>1</sup>, other experts were of opinion that

in order to arrive at definitely practical results the Committee should confine itself to indicating to the Office the occupational diseases which might be added at an early date to the schedule contained in the Draft Convention.

The members of the Committee carefully considered the various diseases. They decided that the following might be added to the list:

- (a) Phosphorism: all processes involving production, liberation of fumes or utilization of phosphorus and its compounds.
- (b) Benzene: its homologues and amino and nitro derivatives (exclusive of the use of aniline colours).
- (c) Pathological manifestations due to X-rays and radio-active substances.
- (d) Epitheliomatous ulceration of the skin caused by handling tar, pitch, bitumen, mineral oils or paraffin or all compounds or residues of these substances.
- (e) Recurring dermatitis due to the action of dusts and liquids.

The Committee decided to adjourn to a subsequent session consideration of the following diseases or causes of poisoning: ankylostomiasis, glanders and farcy, poisoning by nitrous vapours, as well as the inclusion in the schedule of glass-workers' cataract, in order to permit of the carrying out of a preliminary enquiry concerning the occurrence of cataract amongst workers exposed to luminous or calorific radiations.

The Committee did not feel able to come to a decision with regard to the question of silicosis. On several occasions the industrial organisations concerned, especially the Federation of Stone Workers, have urged that diseases of the respiratory organs caused by dust should be added to the list of diseases for which compensation is payable. The question is, however, particularly complex and difficult. On two points the experts hesitated: on the early diagnosis of the lesion and on the determination of the elements indispensable for estimating the degree of incapacity. The Committee therefore decided to adjourn the inclusion of silicosis in the list of diseases in respect of which compensation may be claimed. It requested the Office to continue the enquiry which it had undertaken and to submit to it at its next session the information collected.

The Committee also dealt with the important question of the protection of young persons and adults engaged in certain *unhealthy occupations*. While the necessity of hygienic methods is now universally recognised in occupations which expose the workers to risks of poisoning or injury, the same unanimity of conception and application does not yet exist with regard to the health supervision of persons working in these occupations.

<sup>1</sup> The following definition was proposed: in general, any disease which appears sufficiently specific of the occupation which caused it to be recognised in individual cases as consecutive on the exercise of the said profession shall be compensated.



The Correspondence Committee on Industrial Hygiene and Safety expressed the opinion that periodical medical inspection should be carried out by medical factory inspectors or, in the absence of these, by doctors appointed by the competent authorities. The industries and occupations which should first be made the object of such a scheme of health supervision should be the following :

<i>Industries.</i>	<i>Medical Examination at least once. —</i>
Manufacture of lead colours and other lead compounds	monthly
Mining of lead, zinc, and mercury and treatment of their ores	»
Storage battery factories	»
Manufacture and use of aromatic nitro and amino derivatives	»
Grinding of basic slag	quarterly
Indiarubber manufacture (use of lead carbon bisulphide and benzine)	monthly
Use of lead in the pottery industry	»
Manufacture of chromates and chrome processes	»
Compressed air	case for special consideration.
Hair cutting	quarterly
Manufacture and use of carbon bisulphide in artificial silk factories	half-yearly
Enamelling of metal (hot process)	monthly
Tinning and zinc galvanising of sheet metal by means of alloys containing lead	quarterly
Bronzing by means of metallic powder wth lead content (lithographic industry)	monthly

It will be for the Governments to say when and in what form the suggestions of the experts, which have been communicated to them without comment, might be made the subject of international regulations. It is certain that such regulation would usefully supplement what has already been done on compensation for occupational diseases.

This concludes the examination of what has been done in 1926 to secure the application of the various Conventions and Recommendations already adopted affecting industrial hygiene, but, as was said last year, there is no field of work to which the attention of the Office is more constantly called, in which increasing study is more urgently required, and in which industrial progress continually raises more appealing or unexpected questions. For this reason the Office is continuing the preparation of a large encyclopaedia of industrial hygiene, numerous articles in which are at present in daily use by employers, workers and doctors. But, apart from purely scientific study of the problems, certain special questions are being discussed and investigated preparatory to international regulation.

160. *Limitation of loads.* — Reference was made last year to the requests of industrial organisations which drew the

attention of the Office to this question. In October 1924 the International Transport Workers' Federation, and subsequently the International Federation of Workers in the Food and Drink Trades asked for information on the protective measures against accidents to workers in the docks, transport undertakings, etc., or demanded prohibition of the carrying of sacks of corn weighing 100 kilos in flour mills. In April 1925, the International Chamber of Commerce also expressed the opinion that maximum weights should be laid down for sacks of flour and sugar carried by dockers. In August 1925, the German Government proposed for inclusion in the agenda of the following session of the International Labour Conference the question of the standardisation of loads to be carried in the mercantile marine, and at the same time the International Federation of Transport Workers asked that the question of fixing at 75 kilos. the maximum weight of loads to be handled by workers should be placed on the agenda of the 8th. Session of the Conference.

The Safety Service of the Office has prepared a Report on the protection of dockers against accidents, based on an enquiry effected in several countries (Belgium, France, Germany, Great Britain, Italy, Spain).

The Hygiene Service has assembled in a memorandum the available data relative to the legislation at present in force in the different countries, in regard to restriction of weights to be carried, pushed, or drawn by workers. This information had in fact been asked for by most of the organisations above referred to, more especially in regard to sacks of sugar, flour and corn.

Enquiry has revealed the fact that the majority of measures in force—and these are rare—only deal with the protection of women and children, and are moreover restricted to general rules, which could not be utilized as the basis of a definite system of regulation. At the same time, as has already been stated, literature devoted to problems of industrial physiology, with special reference to the carrying of loads, is not very abundant, apart from a certain amount of special data relating chiefly to the carrying of loads and weights as a trial of strength in sport. It has therefore been judged advisable to reconsider the problem on a wider basis.

The Industrial Fatigue Research Board in London, on being invited by the International Labour Office to supply information on the subject, has since December 1924 placed its services at the disposal of the Office in regard to this matter. The Hygiene Service in making its request stated the problem as follows :—

What is the limit of weight which can be borne by a man, taking account of the duration of the effort required, as well as



the nature of the ground to be traversed (level, inclined, what gradient, stairs, etc.)?

The Research Board informed the Office that they had already entered on the study of this problem in regard to the limit of weights to be carried by women, and that it would be possible to extend the scope of the enquiry to comprise men.

The studies were effected in the Physiological Laboratory of the Faculty of Medicine of Glasgow University (Professor Cathcart) and bore on the following two points :

1° Determination of maximum weight of loads to be lifted or carried.

2° Valuation of different methods of transportation of weights.

The results already obtained show that different methods of transportation possess a definite order of values in accordance with their physiological cost, which ultimately depends on physical causes and more particularly on the degree of displacement of the centre of gravity of the body from its normal position (Report No. 29 of the Industrial Fatigue Research Board).

The investigations are to be continued on the following lines :

(1) Collection of statistical information concerning the height, weight, and muscular strength of women in various occupations ;

(2) Laboratory experiments with controls, in order to complete conclusions already made concerning the methods of carrying loads ;

(3) Ascertainment of the loads at present carried or lifted in various occupations.

This report has not yet appeared. Professor Atzler of Berlin and Professor Patrizi of Bologna have also undertaken laboratory research on the problem with which the Office is concerned but the results will only be available for publication in the summer of 1927.

In accordance with a suggestion made by a member of the Office's Committee, who pointed out that practical conditions should be observed if any opinion was to be expressed which would enable satisfactory legislative measures to be taken, i.e. would reconcile theoretical considerations with practical possibilities, the Hygiene Service of the Office carried out an enquiry into working conditions of dockers in the following ports : London, Cardiff, Liverpool, Hamburg, Bremen, Antwerp, Marseilles, Genoa, Trieste, New York.

With these various documents before it, the Committee at its Düsseldorf meeting considered the manner in which laboratory research and observation in factories might be carried out in order to determine the best methods of transport and the maximum weights of loads to be lifted, carried or hauled. The Committee arrived at the conclusion that for the moment the enquiry

should be limited to the work of dockers and to working conditions in connected industries (water and land transport), various members of the Committee undertaking to make the necessary enquiries in their countries : but it was understood that before organising these enquiries each would make in his particular country a preliminary enquiry in order to determine the points on which detailed information was required, so that the Hygiene Service of the Office might prepare a general plan of work.

As to laboratory research, some of the experts are carrying out at present experiments the results of which must be awaited. When the necessary research has been completed on the two points mentioned, the Committee will have before it the necessary basis on which to continue its work.

161. *Fatigue.* — The Office has also continued its work on the study of industrial fatigue. It will be remembered that the Industrial Hygiene Service prepared a list of fatigue tests which it submitted to the members of the Committee who attended the Düsseldorf meeting. It was decided that this list should be sent to the various experts, each of whom would revise and criticise the parts with which they were specially competent. The Industrial Hygiene Service will then collect the observations sent in by the experts, care being taken to indicate the origin, and, when the whole has been revised on such lines as may be decided on, it will be submitted to the same experts to enable them to form an appreciation of the whole document.

162. *Standardisation of colour sense tests.* — The Fifth Scandinavian Congress of Ophthalmology held at Stockholm in 1921 considered the problem of the unification for the Scandinavian countries of colour sense tests for railway and marine workers. Struck by the importance of the problem, the Congress expressed the wish that the possibilities of an international regulation of colour sense tests should be investigated, and the resolution of the Congress was submitted to the International Labour Office in 1924 through the chairman of the Health Committee of the League of Nations.

The International Labour Office was thus led to collect as complete information as possible on the problem in order to consider the possibility of international regulations on the subject, and the conditions in which such unification of colour sense tests might be effected for railwaymen, seamen and aviators.

An enquiry which was carried out in 1924 and 1925 in a large number of countries was the means of collecting a considerable body of information. The task of analysing this material was entrusted to a ophthalmologist, Professor Oblath of Trieste,



who forwarded his final report to the Office in January 1927.

The attention of the Office is continually being drawn to a variety of questions. For example, the Hygiene Committee has expressed the desire to study again at a subsequent session the protective measures for expectant mothers and mothers in employment. The Office has also had to ask for the opinion of the members of the Health Committee on the danger of painting by spraying, on the existence of such dangers and, if they are held to exist, on their extent. Or, again, the Office's notice has been drawn to the danger of the employment of radio-active matter in the manufacture of luminous hands and dials for watches. In this last connection workers in European factories do not appear to have been affected, but cases of necrosis of the maxillae which have been found to occur in certain American factories indicate that such a danger exists. To take another instance certain members of the Health Committee have expressed concern with regard to the risks threatening workers engaged in carrying and handling Thomas slag etc. There are, indeed, few spheres which offer more direct possibilities of ameliorating conditions with unanimous approval.

#### *Prevention of Accidents.*

163. — In the matter of prevention of accidents the year 1926 has been a period of unobtrusive evolution. There have been no fundamental changes in legislation in the different countries, but it is none the less clear that action has been taken everywhere to bring the provisions in force into line with the progress of industrial production and so to secure to the workers a more effectual protection against the accidents to which they are exposed.

A number of new sets of Regulations of a general character were issued in 1926, including :— a Bolivian Decree of 20 March 1926 which contains provisions on investigations into industrial accidents, an Act for the protection of persons employed in factories, shops and office buildings promulgated in the Canadian Province of Alberta on 8 April, a Chilian Decree No. 217 of 30 April providing for the coming into force of general regulations on works' hygiene and safety, a Japanese Decree of 7 June amending the Factories Act, a Luxemburg Social Insurance Act of 17 December 1925 which contains detailed provisions on the prevention of accidents, and, lastly, a Uruguayan Ordinance of 22 September 1926 on the installation of motors, stoves, etc. in industrial undertakings.

A few sets of Regulations dealing with a number of special questions should also be mentioned. For example, the handling of inflammable liquids was dealt with by different Decrees in Germany and in France. The attention of the legislature in a considerable number of countries was further directed to the prevention of explosions in boilers and steam containers, and new measures were taken in this connection in Austria, Belgium, the Canadian Provinces of Alberta and Saskatchewan, Finland, France, Germany, Palestine and Uruguay. New Orders on the installation and use of lifts were issued in Germany and Alberta. Instructions were issued in Prussia by the Minister of Social Welfare on 19 January 1926 on the installation of cinematographs and safety during the performances. In Belgium the General Ordinance of 29 October 1894 on explosives was amended by a Decree of 29 July 1926, and the regulations on explosives in Germany were also modified by different Decrees issued in the different States. Lastly, a curious fact is to be noted, viz. that in the interests of safety Orders were issued in some countries prescribing the abolition of piece-work and the prohibition of extending the eight hour day in explosives factories.

Different measures for increasing the protection of workers in the building trade were taken in Germany, Great Britain and Uruguay. Greece provided for the further protection of a class of workers who are specially exposed to accidents, dock workers, by a Decree-Act of 16 March 1926. In Ireland the Regulations for the prevention of accidents among railway workers were revised and dealt with in a new Order of 3 May 1926. In Russia, fresh instructions for increasing safety in factories were issued to the labour inspectors. The trade unions were recommended to include in their collective agreements clauses requiring industrial undertakings to apply safety measures, and the Labour Commissariat has entered into agreements for the same purpose with the economic authorities.

It is interesting to consider the means which the different countries employ to embody with rapidity and facility in their regulations provisions affecting technical questions and the progress and new requirements of technical equipment. It may be useful to mention in this connection a method which has recently been introduced in Germany. The new regulations issued in this country on the handling of inflammable liquids and the provisions laid down on the installation and use of lifts were introduced by Ordinances which simply contain general principles. These Ordinances, however, provide for setting up technical committees comprised of representatives of the different parties concerned



which are empowered to take binding decisions on the way in which these general principles are to be technically applied. A similar committee, which however has not the same powers, has also been created to deal with the question of steam boilers.

The general impression of progress which the above brief summary gives is confirmed by the requests for information which were addressed to the Office on the subject of prevention of accidents during the year under review. The Office received requests from Governments or employers' or workers' organisations in Austria, Belgium, Czechoslovakia, Denmark, Finland, Germany, Great Britain, Netherlands, New Zealand and Norway. These requests bore on the most varied problems of the prevention of accidents, from mere requests for general advice on the organisation of safety publicity and the works dealing with safety questions to requests on detailed points such as protective arrangements for belting and other transmitting apparatus on agricultural machinery or safety instructions for "Paternoster" lifts. The Office has done its best to meet these requests fully.

It would thus seem that the subject of prevention of accidents is engaging attention in all countries, and the question arises whether the time has come for promoting its development by means of international decisions. The Governing Body has answered this question in the affirmative. It originally asked for a report to be prepared for the 1927 Conference on the basis of which the Conference could at least discuss the question in a general way. Recently it has definitely decided to place the question on the agenda of the 1928 session. This has meant for the Office's Safety Service the beginning of new documentary work. Lists of Acts and Regulations containing provisions on the subject have been prepared for more than 40 countries and have been transmitted to the Governments in the respective countries with a request that they should examine and complete them. These lists include more than 800 Acts and sets of Regulations, the provisions of which have been classified under more than 400 headings. This information, besides the preparation of the report for the 1928 Conference, will help to improve the Office's system of information and to provide replies to further requests. This will strengthen and complete the work undertaken by the Office in starting its *Industrial Safety Survey*, which has so far undoubtedly been successful.

It is not for the Office to prejudge in any way the form in which the 1928 Session of the Conference will deal with the problem, but it is necessary at this stage to distinguish between its two international aspects. There is the general aspect, viz. as to what are the general rules which

the different States should undertake to establish for the prevention of accidents, what are the common rules which they could undertake to carry out. The second or the particular aspect is whether there are not some special questions which it would be the direct and immediate concern of the workers to have dealt with internationally. Some of these questions seem to have been already raised in different countries, e.g. the questions of marking the weight on packages carried on board ship, and of the weights to be moved by the workers, or the prevention of accidents arising from the coupling of railway waggons. These two problems have already come before the International Labour Organisation.

As is clear from the replies to a questionnaire which has been addressed to the Governments, the question of marking the weight on packages is relatively simple. The marks have so far only been required in certain exceptional cases, and it is recognised that in various other cases a rule in the sense suggested would be very difficult to apply. However, the proposal as a whole has been generally well received, so that it would seem that an international Convention on the subject would not raise any considerable difficulties.

The question of the weights to be moved by the workers has already been dealt with (c.f. ante, *Industrial hygiene*, § 160).

The position is quite different with the question of the prevention of accidents arising from the coupling of waggons. It will be recalled that this question was originally raised at the International Labour Conference in a resolution submitted by Mr. Schürch, Swiss Workers' Delegate, which was approved at the 5th. Session. In accordance with this resolution, and as an introduction to the subject, the Office published a statistical study on the question—*Automatic Coupling and the Safety of Railway Workers. Report on the Statistics of Accidents occurring in coupling and uncoupling of waggons*. The Office got into touch with the International Railway Union, which represents the most competent organisation for dealing with the question in Europe. At first sight the problem has a rather singular aspect. The system of automatic coupling, which undoubtedly is the most advantageous for the prevention of accidents, has already been practised for 30 years in the United States of America, though it is considered in Europe that no satisfactory or adequately tested system has yet been discovered to warrant abandoning the present system of screw coupling and introducing automatic coupling. In particular, the technical experts have apprehensions of difficulties during the transitional period. Meanwhile, automatic coupling has been introduced in Canada, Mexico and the Province of Natal (South Africa) and in Japan, China, Korea and Southern Manchuria; and in India



preliminary measures have been taken with a view to its adoption. In Japan the reports state that the adoption of a carefully thought-out plan made it possible to introduce the system without any difficulties and without prejudicially affecting the working of the railways, and it is added that the transformation immediately resulted in a considerable reduction in the number of coupling accidents. The result of the Office's intervention has been to induce the International Railway Union to appoint a committee of experts for the special purpose of investigating the problem.

It would be difficult to say in what position the 1928 Session of the Conference will find the question. The Office, however, will not neglect to take any step which might help to encourage investigation into the problem and to facilitate its solution. On the question of safety, as on the question of industrial hygiene, the Office's work must always be sustained by the thought of saving human life.

#### *Social Insurance.*

164. — It was stated in last year's Report that, although during the period of economic and financial crisis it seemed as if social insurance was paralysed in its development and had lost in effectiveness, it had since begun to make fresh progress. During 1926 this tendency became accentuated. Much practical work has been done, and the schemes which are in preparation in a large number of countries give hope of further important developments in the near future.

The tendencies of national legislation appear to have remained much the same as those which were indicated in last year's Report: the principle of compulsory insurance is gaining ground, and has established itself in all continents; the categories subject to insurance are being extended, and the aim is to include all wage-earners; the family character of insurance is being accentuated by the grant of benefits, particularly medical and pharmaceutical treatment, to the wives and children of insured persons; there is a growing tendency to give benefits in kind, and insurance institutions are making great efforts to improve the organisation of their medical services; insurance is administered by independent institutions in which the insured persons themselves take an important share; there is a tendency to unify or at any rate to co-ordinate the systems of insurance against different risks, with the sickness insurance societies as the local basis of the organisation.

The measures taken during 1926 in these different directions are summarised

below country by country. They illustrate the increasing cohesion of social insurance regarded as a rational means of utilising human energy. This summary will, however, be preceded, as in the case of the other important questions, by a short indication of the effect given to the decisions of the Conference on social insurance questions, namely, the Draft Convention and Recommendations on workmen's compensation for accidents which were adopted in 1925.<sup>1</sup>

#### *Effect given in 1926 to the decisions of the Conference.*

165. — The decisions of the Conference on social insurance questions are still comparatively few and limited in scope, but they are nevertheless beginning to produce their effects in the movement for fresh social insurance legislation which exists in a number of countries. The Convention on workmen's compensation for accidents has been ratified by Sweden and the Serb-Croat-Slovene Kingdom, and has therefore now come into force.

#### *A. Convention concerning workmen's compensation for accidents (1925).*

##### *(a) Ratification measures.*

*Australia:* Is within the competence of the various States. The Commonwealth has decided to treat the Convention as a Recommendation (paragraph 9 of Article 405). It was communicated to the State Governments on 29 October 1925 (replies received from South Australia, Western Australia, New South Wales, Queensland and Tasmania and communicated to the Secretary-General of the League of Nations), and also submitted to the Commonwealth Parliament on 14 January 1926.

*Austria:* A report of 3 December 1926 to the National Council, stated that the Bill concerning workers' insurance, which was passed in April 1927, laid down accident insurance regulations which are in accordance with the provisions of the Convention. The question of ratification would be considered when the new legislation came into force.

<sup>1</sup> Strictly speaking, the general heading "Social Insurance" should include all the decisions of the Conference on all insurance questions, including unemployment insurance and compensation for occupational diseases. In view of the plan of the Report, however, reference should be made to the sections on "Unemployment" (§ 123 et seq.) and "Industrial Hygiene" (§ 159 et seq.) for the effect given to the decisions of the Conference on unemployment insurance (Recommendation of 1919) and workmen's compensation for occupational diseases (Convention and Recommendation of 1925).

Similarly, the paragraphs dealing specially with seamen (§ 175 et seq.) and with agricultural workers (§ 186 et seq.) give information on the measures adopted by the Conference for the benefit of these particular categories of workers (Convention and Recommendation of 1920 in the first case, and Convention and Recommendation of 1921 in the second case).

Finally, the heading "Migration" (§ 143 et seq.) gives an account of the effect given to the 1925 Convention on equality of treatment as regards workmen's compensation for occupational accidents.



*Brazil*: Submitted to the Chamber by its Committee on Social Legislation.

*Czechoslovakia*: The scope of the Convention exceeds that of existing legislation; amendment of accident insurance legislation now in preparation will make ratification of the Convention possible.

*Denmark*: Convention submitted to the Rigsdag in 1925.

*France*: The Ministry of Labour, Health and Social Welfare has given the Convention a preliminary examination.

*Germany*: Submitted for information to the Reichsrat and the Reichstag. The Convention will involve the amendment of the accident insurance system; since these amendments are very far-reaching, it has not yet been possible to promulgate the new legislation, although it has been under consideration in Germany for some time. The Government is preparing a report setting forth the amendment required to bring legislation concerning accident insurance in industry into line with the Convention.

*Great Britain*: Ratification would involve a number of amendments to existing legislation which the Government is not prepared to undertake, as much for reasons of principle as on account of the additional expenditure which would be placed upon the State and upon industry (letter of 4 October 1926 from the Secretary of State for Foreign Affairs to the Secretary-General of the League of Nations).

*Greece*: Submitted for ratification to the Council of Ministers; ratification is to be discussed by the Legislative Assembly recently elected.

*India*: Submitted to the Indian Parliament.

*Irish Free State*: Submitted to Dail Eireann on 28 May 1926 and to Seanad Eireann on 2 June 1926.

*Italy*: Submitted to the Chamber of Deputies by report of 16 September 1926. The whole question of workmen's compensation legislation is being thoroughly examined with a view to complete amendment, taking into account the principles of the Convention. In consequence, the Government considers that the present time is not suitable for ratification.

*Japan*: Submitted to the Privy Council on 6 December 1926.

*Latvia*: Submitted to the Council of Ministers on 31 March 1926.

*Luxemburg*: Submitted to the Industrial Chambers, within whose competence the subject matter of this Convention especially falls.

*Netherlands*: A Bill for the approval of the Convention was submitted on 3 September 1926 to the Second Chamber of the States-General (Accident Insurance Act of 1921 is in agreement with the Convention).

*New Zealand*: Submitted to Parliament at its last session.

*Norway*: A memorandum submitted to the Storting in 1926 states that the Minister of Social Affairs, after consulting the National Insurance Fund authorities, considered that the economic situation of the country would not allow the extension of the scope of insurance sufficiently to meet the requirements of the Convention. Existing legislation makes insurance compulsory only in certain classes of undertaking which are considered to offer special risks; an extension of the scope of accident insurance would be out of proportion to the expenditure which it would involve. The Parliamentary Committee on Social Questions proposed to the Storting that note should be taken of the Government's memorandum. The Committee's report was adopted by the Storting on 7 July 1926.

*Poland*: Bill for the ratification of the Convention approved on 12 December 1926 by the Council of Ministers and submitted to Parliament.

*Portugal*: Ratification of the Convention has been proposed to the competent authorities (most of its provisions are already found in existing legislation).

*Roumania*: Bill for the ratification of the Convention submitted to the Legislative Council.

*Kingdom of the Serbs, Croats and Slovenes*: Ratification registered on 1 April 1927.

*Sweden*: Ratification registered on 8 September 1926.

*Switzerland*: In a message of 7 June 1926 to the Federal Assembly, the Federal Council stated that the Federal Act of 13 June 1911, concerning sickness and accident insurance (§ 60), and §§ 60 bis and 60 ter of the Federal Act of 18 June 1915, supplementing the Federal Act of 13 June 1911, only require compulsory insurance in factories and other establishments which offer special risk of accident to the staff which they employ — legislation in conformity on other points. Before ratification, commercial undertakings and some small industrial establishments would have to be submitted to compulsory insurance. Old age insurance and insurance for dependants must, however, be introduced before accident insurance is amended.

*Venezuela*: Resolution of the National Congress of 4 June 1926 accepting the general principles of the Convention, and proposing to embody its main provisions in legislation so far as these can be adapted and so far as the needs of the country require.

#### (b) *Application measures.*

*Australia*: New South Wales: Workmen's Compensation Act of 1926.

*Austria*: Act of 29 December 1926 concerning sickness, unemployment and accident insurance, and workers' pensions.

Workers' Insurance Act passed in April 1927.

*Czechoslovakia*: Bill to amend accident insurance legislation (in preparation).

*France*: Bill to amend workmen's compensation legislation introduced in the Chamber of Deputies on 15 January 1925, reported upon by Insurance and Social Welfare Committee, and placed on the agenda of the Chamber of Deputies.

*Germany*: Bill to extend insurance (in preparation).

*Italy*: Bill to amend workmen's compensation legislation (in preparation).

*Sweden*: Amendment of the Workmen's Compensation Act passed by Parliament on 10 May 1926.

### B. *Recommendation concerning the minimum scale of workmen's compensation (1925).*

#### (a) *Communications to the Secretary-General of the League of Nations.*

*Australia*: Falls within the competence of the various States (see under *Convention*). Replies received from South Australia, Western Australia, New South Wales, Queensland and Tasmania, and communicated to the Secretary-General of the League of Nations (September 1926).

*France*: At present being examined by the competent services. A further communication will be addressed to the Secretary-General of the League of Nations (8 December 1926).

*Great Britain*: Some of the proposals of the Recommendation diverge in various important respects from existing legislation. Objections have been made to some of these proposals, and as regards others no sufficient reason was put forward at the Conference to justify, in the opinion of the Government, their adoption in Great Britain. Moreover, if the Recommendation were approved, it would involve an increase in the expenditure concerning workmen's compensation for accidents (4 October 1926).



*India* : Submitted to the Indian Parliament (9 September 1926).

*Japan* : The minimum scale of compensation laid down in the Japanese Acts and Regulations is lower than that required by the Recommendation. In case of death only one of the surviving relations in the order of precedence prescribed by law is considered to be a beneficiary as regards compensation. The present system makes the immediate enforcement of the other provisions of the Recommendation difficult. However, the Government will try to encourage institutions undertaking vocational re-education — decision of the Government of 2 November 1926 (31 December 1926).

*Netherlands* : The Accident Insurance Act of 1921 corresponds in most respects to the requirements of the Recommendation (12 February 1927).

*Norway* : The National Insurance Fund estimated that the additional expenditure resulting from application would amount to at least a million crowns a year. The Minister of Social Affairs considered that, as in the case of the Convention, the economic situation would not allow the extension of the scope of insurance to the degree required by the Recommendation (1 December 1926).

*Poland* : The slight discrepancies which there are at present between the Acts and Regulations of the three former parts of Poland will be removed upon the coming into force of an Act prepared by the Ministry of Labour and Social Welfare, which will give effect to the Recommendation (15 February 1927).

*Sweden* : The Government has taken no special steps (8 September 1926).

#### *Other information.*

*Austria* : Recommendation submitted to the National Council by report of 3 December 1926. Legislation differs from the Recommendation on two points: calculation of the indemnity is based upon the annual wage of the workers as estimated for purposes of accident insurance (annual maximum of 2,100 *schillings*); children, grandchildren, brothers and sisters of a worker who dies as a result of an accident are entitled to indemnity only up to 16 years of age. The Act concerning workers' insurance passed in April 1927 will give effect to the principles laid down by the Conference as regards workmen's compensation for accidents.

*Brazil* : Submitted to the Chamber of Deputies by its Committee on Social Legislation.

*Czechoslovakia* : The amendment of the accident insurance legislation now in preparation will make approval of the Recommendation possible.

*Denmark* : Submitted to the Rigsdag in 1925.

*Germany* : Submitted for information to the Reichsrat and the Reichstag.

*Greece* : Submitted to the Council of Ministers.

*Irish Free State* : Submitted to Dail Eireann on 28 May 1926 and to Seanad Eireann on 2 June 1926.

*Italy* : Submitted on 15 December 1926 to the Chamber of Deputies.

*Latvia* : Submitted to the Council of Ministers on 31 March 1926.

*New Zealand* : Submitted to Parliament at the last session.

*Portugal* : Submitted to the competent authorities.

*Switzerland* : In a message of 7 June 1926 to the Federal Assembly, the Federal Council stated that the Federal Act concerning accident insurance is in agreement with the chief points of the Recommendation (and even goes beyond the Recommendation as regards the scale of indemnity). On some minor points the Federal Act is not in complete agreement with the Recommendation. When the Federal Act concerning sickness and accident insurance is amended, it can be considered whether and to what extent these divergencies can be removed.

#### *(b) Application measures.*

*Australia* : New South Wales : Workmen's Compensation Act of 1926.

*Austria* : Act concerning workers' insurance passed in April 1927.

*Czechoslovakia* : Bill to amend accident insurance legislation (in preparation).

*New Zealand* : Act to amend the Workers' Compensation Act 1922, No. 51 of 1926, assented to 9 September 1926 (effect is to raise rate of compensation to 66 2/3 per cent. of wages, in accordance with the Recommendation).

*Poland* : Bill concerning sickness and invalidity insurance and insurance in case of death of the support of the family (in preparation).

*Sweden* : Bill to amend the Accident Insurance Act (in preparation).

#### *C. Recommendation concerning jurisdiction in disputes on workmen's compensation (1925).*

##### *(a) Communications to the Secretary-General of the League of Nations.*

*Australia* : Falls within the jurisdiction of the various States (see under *Convention*). Replies received from Western Australia, New South Wales and Tasmania, and communicated to the Secretary-General of the League of Nations (September 1926).

*France* : At present under examination by the competent services. A further communication will be addressed to the Secretary-General of the League of Nations (8 December 1926).

*Great Britain* : Sufficient provision is already made as regards the points dealt with by the Recommendation. It is not therefore proposed to take any further steps (4 October 1926).

*India* : Submitted to the Indian Parliament (9 September 1926).

*Japan* : The provisions of the Recommendation are in the main suitable for Japan; similar provisions have been included in the Sickness Insurance Act; but this special system has not yet been embodied in the other Acts concerning workmen's compensation. It would therefore be difficult to give general effect to the Recommendation (31 December 1926).

*Netherlands* : Disputes arising out of the enforcement of the Accident Insurance Act of 1921 are submitted to the Appeal Boards (*Raden van Beroep*), committees consisting of an equal number of employers and workers, under the chairmanship of an impartial person appointed by the Queen (12 February 1927).

*Norway* : Most of the provisions of the Recommendation are already in force in Norway. The Recommendation will not require the adoption of any new measures (1 December 1926).

*Poland* : Existing legislation is in agreement in principle with the Recommendation (15 February 1927).

*Sweden* : The Government has taken no special steps (8 September 1926).

##### *Other information.*

*Austria* : Report of 3 December 1926 to the National Council states that existing legislation is in agreement with the Recommendation. The Act concerning workers' insurance provides for a Supreme Insurance Board consisting only of regular judges. The question of accepting the Recommendation will be considered when the Act comes into force.

*Brazil* : Submitted to the Chamber of Deputies by its Social Legislation Committee.



*Czechoslovakia*: The amendment of the accident insurance legislation now in preparation will make approval of the Recommendation possible.

*Denmark*: Submitted to the Rigsdag in 1925.

*Germany*: Submitted for information to the Reichsrat and the Reichstag.

*Greece*: Submitted to the Council of Ministers.

*Irish Free State*: Submitted to Dail Eireann on 28 May 1926 and to Seanad Eireann on 2 June 1926.

*Italy*: Submitted to the Chamber of Deputies on 15 December 1926.

*Latvia*: Submitted to the Council of Ministers on 31 March 1926.

*New Zealand*: Submitted to Parliament at the last session.

*Portugal*: Submitted to the competent authorities.

*Switzerland*: In a message of 7 June 1926 to the Federal Assembly, the Federal Council stated that the Confederation was not competent to take the special measures required by the Recommendation. It therefore refrained from making proposals to give it effect.

#### (b) *Application measures.*

*Australia*: New South Wales: Workmen's Compensation Act of 1926.

The above facts are significant. In a large number of countries the 1925 Convention, which, as was said above, has come into force, has been studied and submitted to the competent authorities. This is encouraging. Although the Convention only guarantees minimum benefits for persons injured in accidents, its ratification means real progress even for some of the countries where insurance systems have existed for a long time, because it extends the principle of occupational risk to all wage-earners. The tendency to extend the scope of insurance will often be noted in the course of the analysis which is given below.

166. — The development of social insurance in 1926 is dealt with below country by country.

In *Argentina*, the general system of old age insurance which was set up by the Act of 11 January 1924 was abolished by an Act of 20 December 1926 prescribing the liquidation of the Insurance Institute and the repayment of the contributions. It may be asked what will be the consequence of this decision. Possibly it may retard the general movement for social insurance. It might also affect the systems which have been set up for railwaymen, bank employees and workers and employees in the public services. As far as legislation is concerned, there appears to be no doubt that fresh initiatives have little chance of success in the next few years. On the other hand, the efforts of the public authorities to protect the existing special systems seem likely to be successful. Apart from the political difficulties, which were due to the attitude of the worker's organisations and the resistance of the employers, it is a fact that the financial estimates

were insufficient and that this cooled the enthusiasm of all concerned for social insurance institutions.

*Austria*, at the end of 1926, carried out the first stage of the long-planned reform of the social insurance system. The general scheme aims at the establishment of two insurance systems each of which will deal with the risks of illness, invalidity, old age, death, accident and unemployment, but one of which will cover manual workers and the other employees and non-manual workers.

The *employees' insurance* system was revised by the Act of 29 December 1926. It is a general insurance system protecting the insured person throughout his career against all social and occupational risks. Employees are compulsorily insured irrespective of the occupation in which they are engaged and the character of the undertaking which employs them. The month's salary is the basis on which benefits and contributions are calculated. This uniform basis has the advantage of great simplicity. The daily sickness benefit is fixed at 2.5 % and the monthly invalidity pension at 35 % of the monthly earnings. The pension is payable to an insured person who has become unable to earn his living after five years' insurance, or after he has passed his sixtieth year (in the case of women the fifty-fifth year) provided that he has paid contributions for a least ten years. In the case of invalidity due to an accident or an occupational disease, the pension is equivalent to 70 % of the monthly salary. Equal contributions are paid by the insured person and the employer. The contribution is 13.7 % of the salary, and of this 4.5 is ear-marked for sickness insurance, 3.2 for unemployment insurance, and 6 for pension insurance. The organisation of the system is also simple and uniform. There is a central institution responsible for pension insurance and unemployment insurance, and the executive organs are the local funds (in principle there should be only one in each province), which are responsible for sickness insurance. The transfer of the system to a central organisation is exceedingly complicated, as the various branches of employees' insurance were hitherto in the hands of four different types of institution. The operations are to be completed by 1 July 1927, on which date the Act comes into force.

The reform of *manual workers' insurance* has not reached such an advanced stage, although the Act of 28 December 1926 concerning the organisation of sickness insurance societies is a decisive step towards the creation of a unified system. Following the line of action adopted in 1919, the Act abolishes the smaller societies and forms large regional societies. These will be the only societies which will remain in existence, with the exception of a few large occupational and mutual



benefit societies. Here again, as in the case of the insurance of employees, there is thus a tendency to concentrate operations in the hands of a small number of powerful institutions between which organic connection exists. The system of sickness insurance societies thus created will be able to take over the local work in connection with workers' pensions, which are to be introduced in order to complete the edifice of workers' insurance.

The manual workers' system is dealt with by the Act of 1 April 1927. It will cover industrial and commercial workers, apprentices, domestic servants and out-workers, who will be entitled to benefits in cash and in kind in the case of sickness, maternity, unemployment, occupational accident, certain occupational diseases, invalidity, old age, death, and sickness of the members of the insured person's family. A total contribution which is in principle fixed at 15% of the basic wage will be paid, half by the employer and half by the insured person. With the assistance of subsidies from the public funds for the purpose of invalidity and old age pensions, this will cover all the benefits. At the time of writing the date on which the Workers' Insurance Act is to come into force is not yet fixed.

Another important scheme which is under consideration by the Federal Parliament deals with sickness insurance for agricultural wage-earners. Up to the present, insurance of this kind has been dealt with by provincial legislation corresponding to a varying extent to the Federal Act concerning the insurance of wage-earners in industry and commerce. This involves a difference of treatment which is not thought satisfactory. A constitutional amendment of 1925 made the Federal Parliament competent to legislate on social insurance for agricultural workers. A Federal Act is therefore to be drawn up laying down uniform rules for all the provinces. The preliminary discussions in Parliament do not indicate that agricultural workers will receive benefits equivalent to those in force for industrial workers, but the passing of a Federal Act will nevertheless represent progress towards the universalisation of workers' insurance.

In *Australia*, the Royal Commission appointed in 1923 to prepare a scheme of national insurance against sickness, invalidity and unemployment continued its labours during 1926 and has not yet issued its final report. The interim report recommended the establishment of a social insurance scheme upon quite novel lines: there would be a single national insurance fund providing cash benefits for sickness, invalidity, old age and maternity, and an entirely independent organisation which would provide "adequate medical treatment for the people and the requisite machinery for

the prevention of sickness and accident." The method of financing the scheme contemplated by the Commission is the tripartite contribution of worker, employer and State which has been adopted in Great Britain.

It is expected that Bills embodying plans of national insurance against sickness, invalidity and old age will be laid before the Federal Parliament in the course of 1927. Unemployment, on the contrary, will probably not be included among the risks to be covered by insurance, since the Government inclines to agree with the Commission that the proper method of dealing with unemployment is to take systematic measures to keep people employed.

Seeing that the non-contributory method of financing social insurance is about to be abandoned by the Federal Government, it is somewhat surprising to find that the State of New South Wales should just now have adopted a law providing pensions for necessitous widows having dependent children at the expense of the State alone. It would therefore appear that Australian opinion has not yet unanimously decided in favour of one or other of these two financial methods.

The New South Wales Government has also added to its statute book another social insurance measure. The workmen's compensation law of the State has undergone thorough revision, and has been brought into conformity with the Draft Convention on workmen's compensation in several important respects. The widening of the definition of the risk, the payment of the expenses of medical treatment, the provision of artificial limbs, the organisation of vocational rehabilitation, the obligation upon employers to insure their liability, and the administration of the Act, including the settlement of disputes by a special impartial commission — such are the principal reforms which have been embodied in the new measure.

The cost of compensation will of course be increased in consequence of these amendments. The extent of the increase cannot, however, as yet be accurately estimated. The financial consequences of the change in the definition of industrial accidents are especially difficult to foresee. For the event in which compensation is to be paid is no longer "accident arising out of and in the course of employment" — an expression the meaning of which had gradually been elucidated by countless legal decisions — but the quite novel expression "injury received in the course of employment, whether at or away from the place of employment", the term "injury" including any disease to which employment was a contributing factor. Evidently the practical effect of this new definition depends largely upon the interpretation which will be given



to it by the Commission in the settlement of disputes.

The insurance companies, in order to safeguard themselves, felt obliged to treble or even quadruple their premiums; many indeed declined to accept the risk at all. The employers, somewhat dismayed, have, in several trades at least, been led to establish mutual insurance associations in the hope of effecting an economy. The State for its part decided to set up an insurance office to compete with the companies and secure that the premiums charged are reasonable. Now that compulsory insurance has been adopted in New South Wales, it may be observed, there is no longer any State on the Australian mainland where the employer remains free to insure or not to insure for his liability in case of accident.

In *Belgium*, great efforts were made in 1926 to adapt social insurance legislation to the new conditions resulting from the decrease in the purchasing power of the currency and the stabilisation of the Belgian franc. The maximum basic earnings to be taken into consideration for the purposes of accident insurance were raised by the Act of 3 August 1926 from 7,300 to 12,000 francs. The Decree of 29 December increased the amount of the temporary benefits payable to persons injured in accidents whose pensions had decreased in value owing to the increase in the cost of living. Finally, the increase in the pensions granted by the national pensions fund for miners from its solidarity fund was doubled by the Act of 3 August.

Another important event of 1926 was the full coming into force of the Act of 10 December 1924 setting up a general system of compulsory insurance against old age and death. On the other hand, the Act of 10 March 1925 concerning the insurance of employees against old age and death has been met in some cases by very strong opposition from some of the persons covered. The criticisms brought against the Act are of a contradictory character. Some of the objectors demand that the Act should simply be repealed: others that it should be repealed and that employees should be included in the general system of insurance against old age and death: others that it should be suspended for the purpose of reconsideration and re-casting, and others again that the minimum benefits should be increased and the insured persons' contributions decreased.

In view of this situation, the Government set up a committee to examine the complaints made concerning the Act of 10 March 1925 and also tabled a Bill decreasing the burden on insured persons by lowering from 5 to 3 % the deduction made from that part of the salary which exceeds 6,000 francs. The Bill was adopted by Parliament and promulgated on 10 June 1926. Since, like all other social insurance

measures, the Act concerning the insurance of employees cannot be fully and effectively applied without the approval of the interested parties, and since legal compulsion should only be exercised in exceptional cases, the Belgian Government has decided to suspend the study and preparation of executive measures until such time as action has been taken on the conclusions of the committee of enquiry. The provisional regulations, however, remain in force and contributions have still to be paid, while at the same time steps have been taken to ensure that those employees for whom the risk of old age and death becomes a reality during the transition period receive the benefits to which they are entitled by the payments which they have made.

The Belgian Government has followed the same general policy in its reply to the questionnaire of the Office on sickness insurance, and has declared in favour of compulsory insurance against sickness and invalidity. Mr. Jauniaux, Senator and Secretary-General of the Federation of Socialist Mutual Benefit Societies, has tabled a private Bill proposing the institution of a National Mutual Benefit Fund. The fund would be derived from a contribution from employers equal to 2 % of the wages paid. It would be used to subsidise mutual benefit societies, and would make it possible to reach a further stage in the direction of compulsory insurance against sickness, invalidity and maternity.

In *Brazil*, the organisation of a social insurance system has been made subordinate to the drawing up and adoption of the Code of Labour. The draft Code which was submitted to the Senate for the second reading in December 1925 provides that manual workers and employees in undertakings carried on for profit should be compulsorily insured in societies to be set up in each district, and are to be entitled to benefits in case of sickness, temporary incapacity for work owing to accident, and invalidity. The benefits will include medical and pharmaceutical treatment for the insured person and members of his family forming part of his household, the payment of a daily allowance in case of temporary incapacity for work, and the payment of a pension in case of permanent partial or total invalidity. The widow and orphans of an insured person who dies will also be entitled to a pension.

The Senate has further drawn up the final draft of the Act concerning pension funds and pensions for railway workers.

In *Canada*, the attempt made to carry an old age pensions measure in 1926 was defeated by a majority of 46 to 21 in the Dominion Senate. This subject has been before the public for some years, and the rejected Bill was drafted in



accordance with the recommendations of a committee of enquiry appointed by the Dominion Government in 1924. The pensions were to be non-contributory: as formerly in Great Britain, so in Canada the absence of machinery for collecting contributions, quite apart from other considerations, made a contributory scheme proposed by the Bill dependent upon the co-operation of the Dominion and provincial Governments. The Bill prescribed a certain rate of pension and the qualifying conditions, and promised to any provincial Government which would establish pension legislation in its own territory a subsidy from the Dominion resources equal to half of the cost of the pensions.

The defeat of the Bill in the Senate is not regarded as definitive. During the election campaign of September 1926 the measure was an outstanding feature in the policies of both the Liberal and the Conservative parties. The Liberals have now been returned with a majority, and it is generally expected that a similar Bill will be re-introduced.

Important changes in the workmen's compensation legislation of the Province of Quebec were made by an Act of 1926, drafted in accordance with the findings of the Investigation Commission, which were published in 1925. The general tendency of the Act is to bring the Quebec legislation into closer conformity with that of the other Canadian provinces. Insurance is made compulsory; compensation rates are increased; pensions are substituted for lump sums in case of death; and compensation henceforth includes medical aid. In other respects, however, the new law differs from that of other Canadian provinces. Insurance remains in the hands of private companies, and the settlement of compensation is still left to the ordinary courts.

In *Chile*, the enforcement of the Sickness and Invalidity Insurance Act has met with serious difficulties. There appears to be some doubt whether the financial basis of the insurance institutions is sound, and the fact that a Bill has recently been tabled for the creation of a special department to supervise and inspect insurance and provident institutions would seem to show that there are grounds for the fears entertained. The strikes which the trade unions have organised as a protest against the application of the Act in its present form are evidence that at any rate one section of the workers is distrustful of social insurance. At the same time the employers are threatening to reduce wages by deducting the employers' insurance contributions from them.

The minority report submitted by the special committee set up on 29 January 1926 to study and make proposals for the necessary amendments to the Act

concerning compulsory insurance against sickness and invalidity shows how much divergence exists between the views of the public authorities and the opinions of the employers on the principles and aims of social insurance. The public authorities are endeavouring to maintain the sickness and invalidity insurance system in order to promote the protection and improvement of public health, while the employers continue to hold the view that old age insurance alone is a sufficient guarantee of social peace.

In *Czechoslovakia*, the outstanding event of 1926 was the coming into force of the Act of 9 October 1924 introducing insurance against invalidity, old age and death for manual workers in all occupations. The Central Social Insurance Institute of Prague is already at work and will shortly have completed the re-organisation of the sickness insurance system. There have been some differences of opinion about the Act of 1924, but these in the main appear to refer only to questions of secondary importance. They may however give rise to a movement in favour of legislative action for the amendment of some of the controversial provisions, but at the time of writing the Government has not submitted any definite proposals.

It is also necessary to mention the efforts which have been made to bring into full working order the fund for medical treatment for civil servants and public employees. The purpose of this fund is to provide suitable medical treatment not merely for insured persons but also for the members of their families.

The legislature appears likely to give its attention in the near future to certain special branches of social insurance. A committee of experts was set up some time ago to draft a Bill amalgamating the sickness insurance and pension insurance for private employees in a single system. As in Austria, the system is to be of a unified character and will provide every employee throughout his career with protection in case of sickness, invalidity, old age and death. Another important special branch, that of miners' insurance, has not yet attained stability and will be revised and given its final form in the near future.

In *Estonia*, the Government is proposing to introduce far-reaching changes in the sickness insurance legislation which was introduced in 1912 and amended in 1917. The scheme prepared by the Ministry of Labour and Social Affairs would make manual workers and employees in commercial undertakings subject to insurance and would thus, if applied, double the number of insured persons, which is at present about 34,000. It would facilitate the formation of purely occupational societies, whereas existing legislation only recognises institutions includ-



ing all the workers in one or more undertakings. In this way it would probably lead to the formation of special societies for salaried employees. The principal innovation which it would introduce would, however, be that the employers would receive one-third of the seats in the administrative bodies of the societies.

In *Finland*, the new Cabinet, which consists of members of the Social-Democratic party, has included the development of social insurance legislation as one of the principal items in its programme. In his ministerial declaration of December 1926 the Prime Minister stated that the Government proposed to introduce a system of compulsory sickness insurance, which does not at present exist in Finland. He also drew attention to the importance of establishing a system of insurance against invalidity and old age.

The first step in carrying out this programme was the drafting of a Sickness Insurance Bill and the institution of a special committee to study the problem of old age and invalidity insurance.

The main outlines of the Sickness Insurance Bill have been given in the press. It is proposed to include in the insurance system all the wage-earners in the country except agricultural workers employed on small undertakings. It would thus cover about 300,000 persons. The expenses would be equally shared between the employers and the insured persons, and the State would contribute a subsidy estimated at 70 marks per year per insured person. The members of the societies would be entitled to benefits in case of sickness, funeral benefits and maternity benefits.

In *France*, the decrease in the purchasing power of the currency, the increase in nominal wages and the inadequacy of the pensions allocated before the depreciation of the currency have led to the adoption during 1926 of several measures amending existing legislation on occupational accidents. The maximum of the earnings to be taken into account in determining the loss of earning capacity was raised from 4,500 to 8,000 francs by the Act of 9 July 1926. The temporary allowances intended to meet the increase in the cost of living were raised and were granted to persons injured in accidents which occurred before the coming into force of the Employers' Liability Acts by the Acts of 30 June and 15 July 1926. The scope of application of the Act concerning accidents in agriculture has been extended, and reports have been submitted on the Government and private Bills tabled in 1925 with a view to improving or reorganising the system of compensation for persons injured in accidents or for the dependants of persons killed in accidents. The Bill submitted on behalf of the Committee on Social Insur-

ance of the Chamber of Deputies maintains the general principles of the Act of 9 April 1898, including the theory of occupational risk and the principle that compensation should be given in a lump sum. At the same time, however, it greatly increases the amount of the benefits. It lays down no limit for the basic earnings and abolishes the waiting period. It confers an individual character on the compensation granted by allowing vocational re-education and supply of artificial limbs in addition to the money benefit, and, finally, it extends the sphere of application of the Act to all wage-earners.

The Social Insurance Bill which was unanimously adopted by the Chamber of Deputies on 8 April 1924 and was submitted to the Senate in June of the same year, continued to give rise to controversy in 1926. The trade unions and the mutual benefit societies demand that the Bill should be discussed at once and put into force as soon as possible, although they make reservations as regards the methods of application. On the other hand, a number of employers' organisations and Chambers of Commerce are in favour either of the adjournment of the Bill or the gradual establishment of social insurance in successive stages. In support of their view they draw attention to the danger of upsetting the economic system of the country by collecting contributions equal to 10% of wages, while at the same time they consider that such a contribution is inadequate to provide for the benefits guaranteed by the Bill. Anxiety has also been expressed that the arrangements made to cover the risk of old age may involve serious difficulties for the National Pensions Fund.

In its present form the Bill submitted to the Senate covers all French or foreign wage-earners whose earnings are below a limit fixed at 12,000 francs for persons who have no children to support. The family character of insurance is clearly shown by the distribution of benefits. Benefits in kind are granted to the insured person, his wife and his children, while money benefits are granted only to the insured person himself. They amount to 50 % of the earnings in the case of temporary incapacity, 40 % in case of permanent incapacity, and one-third of the earnings in case of unemployment, and increased benefits are allowed to insured persons who have families to support.

The insurance system will be administered by mutual benefit organisations specially created for the purpose or already existing when the Act comes into force. The local societies and the departmental societies will be subject to the rules laid down by the Act of 1 April 1898 concerning mutual benefit societies. Existing organisations such as trade union societies and other provident societies will be obliged, if they have not already



done so, to assume the form of mutual benefit societies in order to participate in the administration of the insurance system. Insurance against sickness and maternity will be administered by the local societies, which may also, if they have a sufficient number of members, assume responsibility for the risks of old age and death. Invalidity insurance, and also insurance against old age and death when it cannot be entrusted to the local societies, will be administered by the departmental societies. Both the local and the departmental societies will enjoy a large measure of administrative and financial autonomy and will be entitled to keep the excess of their receipts over expenditure. They must, however, re-insure with two solidarity and compensation funds which will guarantee the minimum benefits and will cover the risk of insolvency of the society.

The Committees on Health, Commerce and Labour, which have considered the Bill in 1926, definitely maintain the principle of unified insurance and are in favour of the introduction of a system covering all physical risks which are sufficiently closely related to one another to make it possible to establish mutual compensation between them. The Health Committee goes even further. It takes the view that the introduction of insurance in successive stages would destroy compensation between one risk and another and would prevent the system from being fully effective, since it should cover all risks which may affect the productive capacity of those who live by the proceeds of their labour. It therefore proposes to extend the insurance system to unemployment, which is a risk of economic origin. This proposal was not accepted by the Committee on Commerce, although that Committee considers that involuntary unemployment should never cause a worker to lose the right to insurance benefits.

In view of the criticisms which have been brought against the Bill, more especially as regards financial stability, the Government has decided to reconsider it before asking that it should be placed on the agenda of the Senate. It has, however, formally declared that it desires to have it discussed at the earliest possible date.

In *Germany*, the system of miners' insurance has been reorganised and the system of maternity insurance revised. In the three branches covered by the Insurance Code, sickness insurance, accident insurance, and insurance against invalidity, old age and death, as well as in the insurance system for salaried employees, the only legislative changes have dealt with points of detail.

Persons engaged in *mining* undertakings are insured by the Mining Trade Association. The branch of the Association dealing with sickness includes actual mi-

ners and those salaried employees whose earnings do not exceed 2,700 marks per year. As regards invalidity, manual workers and those salaried employees whose earnings do not exceed 6,000 marks per year are, like other wage-earners, covered by the general system of invalidity insurance; but since the dangers and fatigues of the miner's occupation necessitate a special insurance system, miners are covered by a special pension insurance scheme which allows them, when they give up their occupation, to acquire an old age pension earlier than is permitted by the general insurance system. The new Act of 1 July 1926 has improved the organisation of the insurance system, has considerably extended the functions of the sickness insurance system, and has introduced changes in the distribution of the contributions between the insured persons and the employers. The maximum sick benefit is still one-half of the wages, but an additional allowance equal to one-tenth of the benefit will henceforward be compulsorily payable for the wife of the insured person and for each child under 15 years of age, provided that the total benefit does not exceed three-fourths of the earnings. Further, medical treatment for the wife of the insured person and for his children under 15 is now one of the legal benefits, as well as medical treatment for the insured person himself. The expenses of the insurance system had hitherto been shared equally between the employers and the insured persons; henceforward the insured persons will bear three-fifths, and the employers two-fifths of the cost of sickness insurance and the special pension insurance, and contributions will only remain equal in the case of the general invalidity insurance scheme. At the same time, the insured persons have been given an increased share in the management of the system. They now have three-fifths of the seats in the bodies by which the Association is managed, while the employers have the remaining two-fifths.

The benefits paid by the *maternity insurance* system were supplemented by an Act dated 9 July 1926 and were brought into line with the Convention concerning the employment of women before and after childbirth. Treatment by a midwife and pharmaceutical assistance are supplied free of charge. The period for which benefit is paid before childbirth has been raised from four to six weeks, provided that the insured woman does not undertake paid work during that period.

The *sickness insurance* system is making good progress owing to the improvement in relations between the insurance institutions and the doctors. The improvement is largely due to the efforts of the Federal Committee for doctors and sickness insurance societies. The immense importance of sickness insurance as a factor in the improvement of public health is shown



by the fact that in practically all the towns not only the insured persons themselves, but also the members of their families, are entitled to free medical and pharmaceutical treatment. An agreement was reached early in 1926 between the trade associations responsible for workmen's compensation for occupational accidents and the great federations of sickness insurance societies. According to this agreement, persons injured in occupational accidents will be entitled to medical and surgical treatment immediately after the accident.

The reserve funds of the *invalidity insurance* system were destroyed by the currency inflation and have not since been reconstituted. The system was thus unable to meet its obligations without an increase in its resources, including the contributions of employers and insured persons, and subsidies from public funds. The necessary increase was granted by a recent Act. The system of invalidity and survivors' pensions was at the same time improved in several respects.

In *Great Britain*, the outstanding event in the domain of social insurance during 1926 was the carrying into effect of the Contributory Pensions Act. This Act, the provisions of which were outlined in last year's Report, grants contributory pensions at the age of 65 to persons covered by compulsory sickness insurance and to their widows and orphans, without regard to their means. The pensions acquired by persons who fulfilled the required conditions at the time when the Act came into force are of a non-contributory character, but the financial stability of the scheme is based on the solidarity of the generations which will successively be included in the system. During a transitional period which lasts many years the State's share of the cost of the scheme is gradually transferred to the employers and the insured.

The Act is being put into force by stages. At the beginning of 1926, pensions became payable to the existing widows and orphans of deceased persons who had been insured against sickness. In July old age pensions at the age of 70 became payable to persons insured against sickness, without regard to means. The scheme will become fully operative, however, only in 1928, when the age-limit for old-age pensions will be reduced to 65.

The Royal Commission appointed in 1924 to enquire into what amendments should be made in the compulsory sickness insurance scheme established by the National Health Insurance Acts presented its report early in 1926. Among a large number of recommendations, only two are of sufficient general interest to be referred to here: the abolition of insurance committees (which administer medical benefit) and the transfer of their duties to a new local authority which should be

responsible for all public health work in its area; and the pooling of a portion of the surplus funds of each society. It is important to notice that the approved society system, which had been the object of various criticisms, was found by the Commission to be nevertheless more satisfactory than any alternative system proposed. The Commission also suggested that medical benefit should be made to include diagnosis and treatment by specialists; it was for the purpose of financing this improvement that the pooling of surplus funds was suggested.

No Bill to give effect to the recommendations of the Royal Commission was introduced during 1926. Nevertheless, advantage was taken of the discovery during the enquiry of a surplus in the contribution to reduce the share contributed by the State; such was the purpose of the National Health Insurance Act, 1926.

One other event in the British social insurance movement must be noticed, not so much for its intrinsic importance as for its significance as a presage of future developments.

The Imperial Conference, which is the assembly in which representatives of all the British Dominions meet to determine their common policy, dealt with one or two social insurance matters at its 1926 session. It recommended that, in order to encourage migration, the various Dominions should draft their legislation in such a way as to facilitate reciprocity in the treatment of migrants. Further, it recommended the Dominions to consider the advisability of giving effect to the Draft Convention on equality of treatment as regards workmen's compensation.

In *Hungary*, the sickness insurance benefits to which workers in industrial and commercial undertakings and domestic servants are entitled have gradually been increased in the last few years in order to meet the depreciation of the currency, and a special system for miners' insurance was re-organised in 1926 and may be considered to have assumed its final form.

The *Irish Free State* inherited from the United Kingdom a social insurance system which was designed to meet the requirements rather of a highly organised industrial country than of one whose staple occupation is agriculture. The schemes of health insurance and workmen's compensation have therefore recently been the object of Government enquiries. The recommendations of the Committee on Health Insurance were noted in last year's Report. In 1926 the Committee on Workmen's Compensation published its conclusions. No radical changes are proposed. The general effect of the recommendations is to amend the law on the same lines as the British Act of 1923. Thus all rates of compensation should be in-



creased, while awards in case of death should be varied according to the number and age of the dependants. Of special interest is the attitude of the Committee to certain principles laid down in the Draft Convention on workmen's compensation for accidents. While admitting that the payment of compensation ought to be guaranteed by the State, the Committee was unable to recommend any particular measure to secure this object, pending the collection of further information and statistics. The Committee, moreover, advocated the provision of complete medical treatment and of artificial limbs, and the grant of additional compensation to injured workmen requiring the constant help of another person.

In *Italy*, the reorganisation of social insurance, which was begun in 1925 by the application of the Legislative Decree of 25 November concerning the extension to the new provinces of the legislation on invalidity and old age insurance and the introduction of a transitional system of compulsory sickness insurance, has been continued in 1926.

On 4 March 1926 the Government issued a Royal Decree approving the executive regulations drawn up by the Ministry of National Economy, which provide among other things for the application of the provisional scheme of compulsory and voluntary sickness insurance.

In the second place, the efforts of the Government have been directed towards the reorganisation of the general scheme of compulsory insurance against occupational accidents. The enquiry which was begun at the end of 1925 has resulted in the promulgation of a Legislative Decree dated 5 December 1926, which withdraws the authorisation to carry out compulsory accident insurance from insurance companies and private funds instituted by one or more employers for a group of not less than 500 workers. There thus remain only two types of institution: national societies and mutual insurance associations.

According to the explanatory memorandum, the measure is entirely based on the principle that the application of a social law aiming at the effective protection of the workers cannot be even partially entrusted to undertakings pursuing commercial aims.

The work of the mutual benefit associations is maintained on the ground of their mutual character; they will receive fresh impetus from the amendment of sections 19 and 20 of the Act.

Two other important enquires are still in progress. The first deals solely with the results of the enforcement of social insurance in the new provinces. The second, which is intended to determine the degree of activity of the private funds or mutual

benefit institutions paying sick benefit, covers the entire kingdom.

In *Japan*, preparations for the enforcement of the Health Insurance Act were actively proceeded with during 1926, since contributions and benefits begin to be paid from the opening of 1927. To administer the insurance of the two million workers in factories and mines to whom the Act applies, works funds have been established in all the larger undertakings, while the interests of workers in smaller undertakings are cared for by the State insurance offices established in every prefecture. Moreover, satisfactory agreements have been concluded with doctors and chemists for the medical treatment of insured persons. Some disquieting incidents, however, have occurred in several localities where the workers have refused to pay their contribution.

In *Latvia*, some anxiety had been aroused by various proposals for the diminution of the State contribution to the expenses of sickness insurance. These fears were removed by the coming into office of the new Government of the left in December 1926, with Mr. Skujeneeks as Premier. The new Cabinet has included in its programme a series of measures for the development of social insurance, including the extension of accident insurance to all categories of wage-earners, the organisation of medical treatment for the agricultural population, which is not covered by sickness insurance, and a law on social assistance.

The legislation on sickness and maternity insurance has been amended by an Act of 17 May, which gives effect to the ratification of the Draft Convention on the employment of women before and after childbirth.

In *Lithuania*, the Sickness Insurance Act which was drawn up in 1925 extends compulsory insurance to workers in industry and commerce whose earnings are less than 400 litas<sup>1</sup>. The organisation of the system is entrusted to territorial funds which are managed by the insured persons and the employers. Benefits are allowed in case of sickness and childbirth and for funeral expenses. It was originally intended that the expenses of the insurance system should be borne entirely by the parties concerned, i.e. the employers and the workers, but the Parliament returned by the May elections decided that they should be distributed equally between the State, the employers and the workers. In December the *Seimas* also passed the first reading of an Accident Insurance Bill.

In the *Netherlands*, where a general system of accident insurance and a system

<sup>1</sup> 10 litas = 1 American dollar.



of invalidity insurance exist, the compulsory sickness insurance system set up by an Act of 1913 known as the Talma Act has never been put into force. The Superior Labour Council and indeed Parliament itself have in recent years on several occasions been asked to consider private Bills, some of which proposed to amend the existing legislation and to set up special institutions for the administration of benefits in cash and in kind, while others proposed the unification of insurance against the various kinds of risk.

In 1926 the Government, in the course of the debate on the Budget and in the speech from the Throne, expressed its intention of putting the Act of 1913 into force. The Government took the view that the Act would need to be adapted to changed economic conditions and to the provisions of the International Labour Conventions.

The Government scheme, which has recently been published, clearly indicates what the intentions of the Government are. Compulsory insurance will apply to workers whose daily earnings do not exceed eight florins or whose annual income is not over 3,000 florins, with the exception of domestic servants, temporary workers and workers in the public service. It is proposed to maintain the provisions relating to the payment of sick benefit equal to 70 % of the earnings as from the third day of incapacity for work and for a maximum of six months. The scheme does not however provide for the grant of benefits in kind, and modifies the rules for maternity benefit, bringing them into harmony with the Convention concerning the employment of women before and after childbirth. According to the scheme, the insurance system will be administered by bodies of several types: local societies, recognised private societies, societies for particular undertakings, and employers' associations. The payment of benefits may even be fixed by collective agreements covering not less than 500 persons.

As soon as it was published, the new scheme met with somewhat strong opposition from the industrial organisations. The trade unions criticised it because it excluded a number of categories of workers from the insurance system, because it involved the creation of a considerable number of institutions, and because it would make any subsequent attempt to unify social insurance exceedingly difficult.

In *New Zealand* the branch of social insurance which has been receiving most attention recently is workmen's compensation. An amendment raising the rate of compensation to two-thirds of wages becomes operative at the beginning of 1927.

In *Poland*, the systematic realisation of a social insurance programme, which

is laid down by the Constitution itself, is receiving constant attention from the Ministry of Labour and Social Welfare. The report which the Polish delegation was good enough to submit to the 7th. Session of the Conference has already given an idea of the efforts which have been made to set up a uniform system of social insurance for all the wage-earners of the country.

Sickness insurance, which is administered by local societies, is developing normally and is steadily improving its medical service. Over four million insured persons and members of their families are entitled to free medical treatment. The date originally fixed for the completion of the network of insurance societies has had to be postponed on account of the difficulty of organising the medical service in the rural districts of the East. It was stated in last years' Report that some degree of uniformity as regards accident insurance had been achieved by extending the system previously in force in the former Austrian districts to the districts formerly belonging to Russia.

Invalidity and survivors' insurance is required to complete the structure of social insurance in Poland. Two schemes, one for the insurance of manual workers and the other for that of employees, have been drawn up by the Ministry of Labour and Social Welfare. The territorial sickness insurance funds, with their regional and central organisations, will form the basis for the organisation of the system of insurance, which will form a complete scheme protecting wage-earners and their families against loss of earning capacity for long or short periods, and the surviving dependants of insured persons against the loss of their means of support.

*Russia* is continuing its efforts towards the full enforcement of its social insurance system, which covers all physical risks as well as the risk of involuntary unemployment.

In the last two years there has been an increase of about 20 % in the number of insured persons, which has risen from 6,276,000 to 8,330,000. Employers' contributions now come in more regularly, and there has been a change in the system of invalidity insurance.

Invalidity and unemployment insurance have up to now been the least highly developed branches of the Soviet system. The pensions of disabled persons had previously been calculated on the basis of wages in the district, but owing to the modifications adopted in 1926 the pensions have, as from 1 July 1926, been calculated on the basis of actual earnings.

The wide scope of the system and the defects of the machinery for supervision led during 1926 to financial difficulties, which caused the Central Department for Social Insurance to adopt a policy of reducing expenditure. As the budget



for 1926-1927, which was estimated at 800 million roubles, seems likely to show a deficit of 60 millions, the Central Department has been obliged to increase the severity of the control of sick leave, and has foreshadowed the reduction of certain benefits, particularly those for funeral expenses.

*Spain*, in 1926, has made efforts to improve the enforcement of the already existing legislation on social insurance. Owing to the conditions existing in the various provinces, the enforcement of the Royal Decree of 11 March 1919 on workers' pensions requires steady and patient work for the education of public opinion and also for supervision. Special efforts are necessary to see that insurance is extended to the proper persons and also that the obligations laid down by law are carried out, and in particular that the employer's and worker's contributions are regularly paid. The National Provident Institute has undertaken an enquiry into the work of the mutual benefit societies in the country. This will make it possible to estimate the extent and value of what has been done by independent sickness insurance.

In *Sweden*, a number of careful enquiries have been carried out with a view to the recasting of the present system of voluntary sickness insurance, which has been in force since 1910, and a number of Bills on the subject have been submitted. The most important questions at issue are those of making insurance compulsory and of centralising insurance institutions. The two Bills which were tabled in the Riksdag in 1926 maintained the system of voluntary insurance, but proposed that there should only be one insurance fund per district and that the insurance benefits should be considerably increased.

The Riksdag, however, considered that the same objects could be attained by a less far-reaching modification of the present system, and it instructed the Government to set up a special committee, including representatives of the employers and workers, to study the question. The report of the committee, which was completed at the end of the year, declares in favour of a system including two kinds of recognised funds, local funds and district funds. It proposes an extension of the period for which benefits are paid, and requires insurance institutions to provide insured persons with medical treatment and maternity benefits.

In the view of the experts the local funds should be responsible for administering cash benefits of not less than 1 kroner per day for the first 100 days' sickness, while the federations of funds or the district funds should administer cash benefits after the first 100 days, and medical treatment and maternity insurance for at least a period of two years.

According to the report the district funds would have the right to choose between providing hospital treatment for sick persons and repaying two-thirds of the ordinary expenditure for medical treatment. Similarly, in the case of maternity benefits, the funds could choose between providing treatment in a maternity clinic and the payment of benefit for not more than 56 days.

If the scheme proposed by the experts is adopted, a considerable additional burden will be laid on the State. The committee estimates the total annual expenditure, on the basis of about 800,000 insured persons, at 6,828,900 kroner, i.e. 8.54 kr. per member, as compared with 3,600,000 kr. which the State would have to pay if the present system were maintained. In the view of the experts the measures proposed by the Government in 1926 would have involved even greater expenditure, namely 8 million kroner, or 10 kr. per member.

The majority of the departments concerned, to which the report of the experts was submitted for observations, have declared in favour of its adoption, although they have put forward a certain number of criticisms. Thus the Department of Labour and Social Welfare and the State Insurance Office stated their preference for compulsory insurance, which is the only system which allows the administrative unification of all branches of social insurance.

Swedish accident insurance legislation was amended by an Act of 18 June 1926. One of the purposes of the amendment was to bring the legislation into harmony with the international Convention concerning workmen's compensation for accidents. The new Act, which came into force on 1 January 1927, extends the scope of the system and improves the position of persons injured in accidents by raising the maximum basic earnings taken into account for calculating benefits, by giving injured persons increased rights to the supply of artificial limbs and orthopaedic instruments, and by increasing the funeral benefits.

In *Switzerland*, the legislature is giving its attention to the introduction of old age insurance and insurance of surviving dependants. This question has taken precedence of the revision of the Federal Act of 13 June 1911 concerning sickness and accident insurance.

In last year's Report attention was drawn to the importance of the plebiscite of 6 December 1925, which established the principle of compulsory insurance for aged persons, widows and orphans. It was stated, on the basis of information which had reached the Office, that 500,000 aged persons, widows and orphans, were concerned in the proposed measure. According to information supplied by the representatives of the Swiss Government at the 8th. Session of the Conference,



the probable number of persons who will benefit by the Act concerning sickness insurance and survivors' pensions should be estimated at about 400,000, including 80,000 aged persons of both sexes without adequate means of support.

It should be remembered that old age and survivors' insurance cannot be set up without the establishment of special funds to be derived from the application of the new taxes on tobacco and spirits. The liberal-conservative groups suggest that in view of the opposition which exists in agrarian circles to any extension of the monopoly on alcoholic liquors, the yield of the tax on tobacco should be allowed to accumulate until it forms a sufficient initial capital for the insurance system. Another view which obtains considerable support, particularly in German Switzerland, is that temporary relief should be provided for aged and necessitous persons until such time as the insurance system makes its effects felt.

The Federal Social Insurance Office is continuing preliminary studies for the drafting of an executive measure. The first step was to carry out an enquiry into existing institutions for insurance and assistance in the case of invalidity, old age and death, most of which were created by private initiative.

Three fresh cantons have now accepted compulsory sickness insurance. In the canton of Thurgau compulsory insurance was instituted by a plebiscite on 5 December 1926 for many classes of the population. In the cantons of Zurich and Schaffhausen the plebiscite was also favourable to compulsory insurance.

In the *United States* the development in the domain of social insurance during 1926 presents no remarkable features. The movement to establish non-contributory old age pensions is gaining strength. In 1926 Kentucky was added to the number of States where this method of caring for the aged has been authorised, the other States being Montana, Nevada, Wisconsin and Alaska. At the same time, the possibility of introducing similar legislation is under consideration in several other States. On the other hand, a similar law in Pennsylvania was found to be repugnant to the State constitution.

There are now but five States without workmen's compensation legislation, since after a struggle lasting fifteen years an Act has now been adopted in Missouri. A Federal Bill to provide compensation for  $\frac{1}{3}$  million harbour workers who are outside State jurisdiction appears likely to become law. Seamen are still covered by an Employers' Liability Act similar in character to that applicable to inter-State railway workers. It appears, however, that the seamen are not in favour of substituting compensation for the existing law unless they are allowed to keep the latter as an alternative remedy

in case of negligence on the part of the shipowner.

167.— The preceding examination of the social insurance movement in the various countries shows clearly, as has been said, the vitality of the movement. Further, its guiding lines seem to be more and more clearly defined. The broad principles arrived at as a result of experience appear to be securing recognition in all countries. Thus the Organisation may pursue with a certain confidence the effort at regulation which was begun in 1925 by the decisions taken concerning workmen's compensation and compensation for occupational diseases and which will be continued at the present session by the examination of the problems of sickness insurance.

Apart from the work actually carried out by the Organisation on social insurance problems, there are two facts which appear to prove that these problems are daily becoming more international in character.

In the first place, an increasing number of agreements are being concluded between countries with a view to maintaining the rights of insured persons or beneficiaries in case of change of residence and to facilitate in every possible manner the working of insurance schemes. Reference may be made in this connection to the especially active cooperation of the Scandinavian countries, evidence of which may be seen in the five conferences which have recently met in the capitals of these countries and which were attended by representatives of Government departments and insurance institutions. The first conference, held at Copenhagen, laid down the principle of collaboration between the Scandinavian countries as regards social policy and decided to consider the question of social insurance. Meeting again at Stockholm, the conference took note of the exact position regarding social insurance in the Scandinavian countries and considered certain rules which might guide the Governments concerned in replying to the Questionnaire of the Office on sickness insurance.

While there are no further regional understandings of this nature to be reported, the already established practice of bilateral treaties on social insurance appears to continue in the case of States between which migration of workers exists. In the chapter dealing with emigration, an account has been given of the more important treaties concluded in 1926. From the point of view of social insurance in particular, reference may be made here to the agreements concluded between Germany on the one hand, and Austria, Poland and Czechoslovakia on the other hand, and to the Convention concluded between the unions of the Central Funds of Denmark and Norway and confirmed by the Governments. The similarity existing between the general lines on which insurance is practised in the



contracting countries has largely contributed to secure solutions which are of advantage both to the insured and to the insurance institutions. The Office sees in these treaties a further proof that a really satisfactory organisation of the manifold relations between States created by social insurance will be greatly facilitated when the various insurance systems have, as a result of international regulations, reached the same, or at least a comparable, standard.

168. — The other fact which appears to the Office to indicate the international aspect of social insurance is the interest taken in the calculation and comparison of the charges assumed by the different countries for the maintenance of social insurance.

Previously the institution of new systems of social insurance or the reform of existing systems gave rise to political and legal controversy between the partisans of liberty and the partisans of compulsion, between those who maintained that the funds should be administered by the parties concerned and those who maintained that they should be administered by the State. These discussions still arise, but in a less acute form. Financial and economic considerations now come first. Already before the war this change was noticeable. In 1912, in a Conference held at Zürich, the Permanent International Committee on Social Insurance began to consider a plan for international enquiry into the cost of social insurance.

Since the war and the economic crisis which succeeded it, the matter has become one of great concern. In the most highly industrialised countries it is in many cases necessary to export if unemployment is to be avoided and a return for capital assured. Thus in order to keep or attract foreign customers the employers endeavour to reduce the sale price of their commodities. This leads them to examine closely the cost of production in its different elements. Their attention is naturally attracted to the elements on which, apparently at least, it is easiest to affect a reduction, wages and social charges, especially insurance charges which constitute the most important part of direct social charges. There is generally a marked tendency in each country to compare the pre-war burden with the post-war burden and to conclude that the post-war burden is considerably increased in practically all cases, particularly owing to the reforms carried out since 1918 and 1919. The increased cost is particularly felt in countries which, after a period of monetary inflation, have stabilised their currency. During the period of inflation there is inevitably a lack of proportion between the various elements in the cost of production. The cost of raw materials increases much more quickly than wages and social charges; in particular, the real value of benefits and payments under insurance schemes is enormously reduced. When stabilisation is

accomplished, it is necessarily accompanied by a revaluation of wages and insurance payments, and employers have thus the impression of a further charge on them. This last charge is held to be the cause of the increase of prices at home, the decrease in the possibilities of exportation abroad, and the increase of unemployment. In practically all countries employers consider that their capacity to compete in the world market is partially or wholly destroyed by excessive social charges. They oppose all legislation calculated to increase those charges and sometimes even demand a modification of existing legislation in order to obtain a decrease in the contributions required of them.

The workers, on the other hand, severely affected by economic crises, tend more and more to consider social insurance as essential in order to guarantee their existence and that of their family, and demand ever more insistently improvements in existing systems of insurance or the putting into force of new systems.

Employers and workers then seek to justify their attitude by arguments and facts taken from the social charges existing in neighbouring countries or countries which are their economic competitors. Thus the National Confederation of Employers' Organisations of Great Britain submitted to the Royal Commission appointed to consider the amendments to be made in the system of insurance against sickness and invalidity a memorandum containing a comparative table of the cost of social services in Belgium, Czechoslovakia, France, Germany, Great Britain and Italy, and concluded that it was necessary to reduce the charges in Great Britain which, according to their figures, were much heavier than those of the other countries.

Sometimes Governments intervene and undertake enquiries in order to end the controversies. The Polish Ministry, for example, has made a comparative study of the cost of social insurance in Austria, Czechoslovakia, Germany, Great Britain and Poland, the results of which have recently been published. The enquiry shows that far from being excessive the charges imposed on Polish industry by social insurance are in general considerably less than the charges on industry in neighbouring countries.

The International Association for Social Progress, at its annual meeting held at Montreux in September 1926, considered a report on social charges and a report on the cost of social insurance. It expressed itself in favour of an international enquiry, refusing to consider social insurance simply as a charge on industry but rather as the most rational and efficient means of protecting workers against occupational and social risks.

Thus in the different circles which for various reasons interest themselves in social policy the problem of the cost of social



legislation claims increasing attention. The International Labour Office is more and more frequently being asked to place at the disposal of those concerned international statistics of the cost of social insurance. Up to the present the Office has supplied for a few countries monographs, which, by the way, have never claimed to be comprehensive in their scope, but it has never given international comparative tables. As will readily be imagined, this attitude is not due to any timidity in the face of a vast and complicated problem or to any desire to disregard or underestimate the importance of the problem. The Office is, however, aware of the heated controversy which has arisen in several countries during the past two or three years with regard to the calculation of the cost of social insurance. Every set of figures has been contested, including figures from official sources. Examination of the controversies which have arisen shows that the problem has often been represented as more simple than it really is, that erroneous or incomplete statistics have been adduced and comparative tables prepared from information drawn from a variety of sources and not really comparable in character.

Thus before undertaking the vast enquiry into "the actual cost of the different forms of social insurance or assistant services in operation in various countries as far as possible on the same lines", as requested by the British Government in May 1926, the Office has felt it desirable to consult members of its international committee of experts on social insurance in order to secure their opinion as to the utility of such a study, the limits in which it might be made and the methods which might be employed.

The object of the study which the Office is requested to carry out is to make it possible to determine the effect of social charges on production and in particular on the capacity of the industries of the various countries to meet international competition. It may be asked whether this object would be completely achieved even if the contemplated study could be carried out satisfactorily. It may be doubted whether it would really be possible to arrive at the results desired because the commercial situation and the capacity of the industries in the various countries to meet international competition largely depend on numerous and important factors besides the cost of insurance, because it is impossible to determine exactly how the cost of social insurance is distributed and because it is impossible to estimate the value of the economic and social services rendered by social insurance.

The cost of production depends on social charges, wages, perfection of equipment, output of the workers, cost of raw materials, transport charges, taxation, remuneration of

capital, etc. The weight of each of these factors varies considerably from one country to another and even from one industry to another in the same country. The study of a single one of them will not allow any conclusion to be drawn as to the total cost of production. Study of the laws, regulations and statistics concerning social legislation may appear to afford information on the way in which the cost is distributed between the State, the employers and the insured, but it will not indicate the real distribution of the cost as it results, in the last resort, from the very complicated interaction of the various factors.

The worker who is legally obliged to make insurance payments may, particularly if his wages are barely sufficient to satisfy his daily needs, demand an increase in wages. The success with which his demand will meet will depend on the economic possibility of the industry or the undertaking to grant the increase demanded, on the strength of employers' and workers' organisations, etc. The results will differ according to circumstances, and the proportion of the cost actually met out of wages will vary considerably.

The employer may tend to include the employers' contribution and all or part of the workers' contribution in the cost of production and thus pass the burden on to the consumer. The success of the operation will depend on the situation of the industry or the undertaking, the buying power of the consumers, the conditions of national and international competition, customs tariffs etc. The result will vary considerably from one country to another, from one industry to another and even from one undertaking to another.

The cost which is met by the State and paid for out of public funds will be distributed first of all according to the fiscal system in operation and in the last resort will fall either on the consumer, the remuneration of labour or the remuneration of capital, in extremely variable proportions.

Thus the actual distribution of the cost appears incapable of scientific determination. It may be possible to note a continuous movement of prices, wages and profits; but this movement is the result of elements so numerous and variable that it is impossible to calculate the weight of each of them.

There is a further aspect of the problem which is too frequently neglected despite its capital importance. Social insurance costs money, but it also has another side, decrease in human suffering, increase in earning capacity, increase in the consuming power of the insured. This aspect obviously cannot be expressed in figures and money. In studying the cost of insurance, then, the debit side of the account is made up, but it is not possible to estimate the credit side. In countries in which social insurance is considerably developed, it will



be argued that the cost is considerable but it will not be possible to set against this the benefits of insurance, which, however, are also considerable.

In these circumstances, it seemed questionable whether a study of the cost of social insurance was worth while and whether the International Labour Office should undertake it.

The question was put to the experts, who, as mentioned above, were invited to meet at Geneva. They expressed themselves decidedly in favour of such an enquiry. The committee recognised the full force of the considerations as to the necessity of taking account of all the factors in the cost of production and not merely considering a single factor arbitrarily chosen, the impossibility of determining in a scientific and accurate manner the real incidence of the charges and the impossibility of estimating the social and economic services rendered by social legislation. The committee observed, however, that discussions on the cost of social insurance are taking place in all countries and will certainly continue; that inaccurate and incomplete statistics are submitted; that so-called international comparative tables are drawn up on the basis of heterogeneous and incomparable elements; and that false conclusions were being placed before the public. The committee therefore felt that the International Labour Office would be doing useful work by collecting in the first place complete, impartial and carefully checked statistics, which it would secure with the collaboration of Government departments and employer's and workers' organisations.

In the second place, in the opinion of the committee, the Office should endeavour to correct errors of method. It should draw attention to the very limited possibilities of international comparison, emphasise the defects of the isolated criteria usually employed in controversies on the subject, and show the necessity of utilising simultaneously criteria which correct and complete each other.

In accordance with these suggestions of the committee of experts, and the decision taken by the Governing Body in October 1926, the Office has begun the study of these costs, and hopes to be able to publish the first results during the first six months of 1928. Since the need for information on the subject was chiefly due to considerations of international competition, the Office will consider the cost of insurance in the chief industrial countries and the cost in the important export industries, coal, iron and steel, cotton, shipbuilding, etc.

The degree of precision which it will be possible to reach will only be evident after examination has been made of the information collected from national sources, but it may be anticipated that such statistics as will be utilisable will deal chiefly, and in

many countries exclusively, with compulsory social insurance. There will remain serious gaps which cannot be filled, and the difference between the charges actually borne in one country and the charges which may be expressed in figures will be greater the less compulsory social insurance is developed. Consequently, it will only be possible to employ the report of the Office for international comparisons with extreme prudence and only on certain definite points on which comparable information is available.

The very idea of comparisons of this kind has given rise to apprehension in some quarters, and there has been a certain amount of uneasiness at the insistence with which the calculation of the cost of social insurance is demanded. The Office would say for its part that, provided that the results of such calculations are judiciously employed, it undertakes without apprehension the task entrusted to it. In its opinion social insurance has nothing to fear from a meticulous examination of its budget. The proper organisation of such insurance is a matter of concern to those who administer and those who supervise insurance systems. The figures for the amount paid in respect of insurance will appear on the debit side. Far from constituting a charge against insurance, these figures will demonstrate the great need for assistance among the working classes in all countries. As against these figures the insurance institutions will be able to set the services rendered to society in the form of medical assistance and monetary assistance to those in need of it. These services, difficult though they be to estimate in figures, nevertheless demonstrate the imperious *raison d'être* of insurance, both in the present and in the future.

If progress consists in increasing the stability of society, making more accurate provision for the future and more fully satisfying human needs, social insurance will play an important part in the efforts made to secure this end. It represents constant and systematic protective efforts for preventing and making up loss of human energy. At a time when the distribution of raw materials, production and markets is being arranged by agreements between governments and producers of various countries, the organisation of social insurance on international lines becomes a necessity. The Conference has been engaged on this work since 1925. The convergent tendencies of national legislations, the agreements directly concluded between States whose workers migrate from the one to the other, the interest taken in the question of the international comparison of insurance costs, all these facts seem to indicate that the international insurance movement meets a general need.



*Protection of women.*

169.— The consideration which has been given to the protective measures affecting workers generally may now be followed by an examination of the special protective measures for which provision has been made for particular classes of workers. The first class to be dealt with will be women workers: the protective measures taken in their favour are examined in the present sub-section. First, the effect given to the decisions of the Conference during 1926 is recorded, and then the general situation at the end of the year is shortly reviewed.

*A. Effect given in 1926 to the Convention concerning the employment of women during the night (1919).*

*(a) Ratification measures.*

*Denmark*: Bill for the ratification of the Convention referred in 1926 to the Commission set up by the Minister for Social Affairs to codify social legislation.

*Paraguay*: Bill for the ratification of the Convention adopted by the Chamber of Deputies on 24 May 1926 and sent to the Senate.

*Kingdom of the Serbs, Croats and Slovenes*: Ratification registered on 1 April 1927.

*(b) Application measures.*

*Denmark*: Draft Social Legislation Code (in preparation).

*France*: Morocco: Decree of 13 July 1926 for the regulation of employment in industrial and commercial undertakings.

*Germany*: Workers' Protection Bill submitted to the Provisional Economic Council.

*Great Britain*: Malta: Factories Act of 17 December 1926.

*Roumania*: Bill relating to the employment of minors and women, submitted to the Superior Legislative Council.

*B. Convention concerning the employment of women before and after childbirth (1919).*

*(a) Ratification measures.*

*Denmark*: Bill for the ratification of the Convention referred in 1926 to the Commission set up by the Minister for Social Affairs to codify social legislation.

*Germany*: Bill for the ratification of the Convention submitted in 1927 to the Reichsrat and the Provisional Economic Council.

*Latvia*: Ratification registered on 3 June 1926.

*Paraguay*: Bill for the ratification of the Convention adopted by the Chamber of Deputies on 24 May 1926 and sent to the Senate.

*Kingdom of the Serbs, Croats and Slovenes*: Ratification registered on 1 April 1927.

*(b) Application measures.*

*Denmark*: Draft Social Legislation Code (in preparation).

*France*: Decree of 11 March 1926 relating to Factory crèches.

*France*: Morocco: Decree of 13 July 1926 for the regulation of employment in industrial and commercial undertakings.

*Germany*: Act of 9 July 1926 amending Book II of the Insurance Code of 19 July 1911.

Bill French relating to the protection of women before and after childbirth submitted to the Reichsrat.

*Great Britain*: Malta: Factories Act of 17 December 1926.

*Guatemala*: Labour Act of 27 April 1926 (Chapter V).

*Japan*: Imperial Decree of 7 June 1926 in application of the Factory Act, 1923.

*Lithuania*: Act of 27 May 1926.

*Roumania*: Bill relating to the employment of minors and women, submitted to the Superior Legislative Council.

*Salvador*: Act of 29 May 1926.

The fact is that the special measures taken for the protection of women have been strongly objected to during the last few years in certain quarters. While working women, especially those in the textile trade, claim through their unions legal protection over and above the provisions laid down in the Washington Conventions, extremists in feminist organisations have raised the cry of "equality first" (c.f. § 87) and are preparing to carry on a strong campaign against any legislation which differentiates between the sexes.

The effects of work on the female organism are proved by a large body of statistical data, which show that the average duration of illnesses and the incapacity for work resulting therefrom are a bigger percentage among women than among men, and that the combined effects of working conditions and maternity constitute a real danger for women. However strange it may be to have to defend the legal protection of women workers, which is a corollary of social welfare, against the erroneous theories of women who none the less believe that they are promoting the progress of woman, the Office does not slacken its efforts to uphold Conventions adopted by the Conference by all the means of persuasion at its disposal, e.g. by articles in its publications, by speeches and by continually developing its external relations and its collection and distribution of information. In spite of the criticisms which have been made, however, there has been developing in a number of countries a movement in favour of the abolition of night work for women or for protection of women during childbirth. International Congresses have been taking up these two questions. In Japan, in particular, the General Confederation of Labour and the Japanese Association for International Labour Legislation are asking for the immediate prohibition of night work for women.

A few fresh legislative measures were taken or considered during 1926, both on the subject of night work for women and on their employment before and after childbirth.

170. *Night work of women.* — The *Esthonian* Government, which ratified the

Convention on 27 October 1922 and adopted on 20 May 1924 an Act to give effect to the Convention by prohibiting night work for women, has issued a new Decree by which the employment of women during the night will be prohibited as from 15 May 1927.

In *Japan*, the Factory Act of 1911 provided that the employment of women between 10 p.m. and 4 a.m. was to be prohibited as from the end of August 1931. The Factory Act Amendment Act of 1923, promulgated by Imperial Order on 7 June 1926, substitutes 5 a.m. for 4 a.m. and alters the date for the coming into force of the material provision to the end of June 1929.

In *Malta*, the Factories Act, which received assent on 17 December 1926, provides that women under 18 shall not be employed on night work except with the permission of the Minister for Industry.

The Federal Public Health Code of *Mexico*, which was passed on 27 May 1926, contains a clause prohibiting the employment of women at night, but no indication is given in the code as to the hours between which the night period lies.

In *French Morocco*, a Decree was issued on 13 July 1926 prohibiting, *inter alia*, the employment of women between 9 p.m. and 5 a.m.

In *Roumania*, a draft Bill for the regulation of the work of women and minors has been prepared and submitted to the various workers' and employers' organisations for their opinions. This Bill, according to a letter received from the Ministry of Labour, Cooperation and Social Welfare dated 8 February 1927, gives effect to various International Labour Conventions already adopted by Roumania and prohibits the night work of women.

171. *Employment of women before and after childbirth.*— In *France*, an important Decree requires that factories and other establishments employing women shall be provided with a crèche which must be equipped in the manner laid down in the law.

In *Germany*, Parliament has passed a measure which puts present legislation in agreement with the Draft Convention concerning the employment of women before and after childbirth so far as concerns benefits. As regards rest periods, a Bill for the protection of the workers which is at present before Parliament will enable Germany, if it is passed, to ratify the Convention. However, as the passing of this Bill will take some time, consideration is at present being given to provisional measures intended to bring the

provisions at present in force on the matter of rest periods into line with the Convention.

In *Guatemala*, a new Decree dated 30 April 1926 applies to industry and to commerce. It makes provision for rest periods of 8 weeks in all, payment of wages during absence and the retention of employment, medical benefits, extending rest periods in case of necessity, and nursing intervals during working hours.

In *Japan*, the coming into force of the new Factories Act extends the rest period after childbirth from 5 to 6 weeks and allows a woman with child to leave her work 4 weeks before confinement. This Act also provides for the payment of wages during absence and for nursing intervals.

In *Lithuania*, a new Sickness Insurance Act contains under the title "Protection of women during childbirth" clauses providing for cash payments and medical benefits.

In *Malta*, the Factories Act, which received assent on 17 December 1926, prohibits the employment of women during pregnancy and for three weeks after confinement and provides that wages are to be paid to them during their absence.

In *French Morocco*, undertakings employing 50 women or more are required to give them an eight weeks rest in all before and after childbirth, to install a crèche, and to give time off for nursing during working hours.

In the *Republic of Salvador*, an Act dated 29 May 1926 gives women employees in commerce the right to leave for three months at half pay and provides for nursing periods during working hours.

#### *Protection of children and young persons.*

172. — Child labour legislation was the forerunner of the whole system of labour protection, as the early evils connected with child employment first awoke public opinion to the need for such laws. As soon as an International Labour Organisation was set up the protection of children and young persons was naturally one of the first tasks confided to it, and the Powers which were signatories of the Peace Treaty in drawing up the agenda of the Washington Conference placed the question of the employment of children upon it.

An account is given below of the steps taken in 1926 to give effect to the decisions of that Conference.



A. *Effect given in 1926 to the Convention fixing the minimum age for admission of children to industrial employment (1919).*

(a) *Ratification measures.*

*Japan* : Ratification registered on 7 August 1926.

*Latvia* : Ratification registered on 3 June 1926.

*Paraguay* : Bill for the ratification of the Convention passed by the Chamber of Deputies on 24 May 1926, and sent to the Senate.

*Kingdom of the Serbs, Croats and Slovenes* : Ratification registered on 1 April 1927.

(b) *Application measures.*

*Australia* : Western Australia : Bill containing provisions to raise age of admission of boys to employment underground in coal mines.

*Brazil* : Minors' Code of 1 December 1926.

*France* : Act of 7 December 1926 (amending § 72 of the Labour Code as regards processes in which the employment of young persons under eighteen years of age and women is prohibited).

Bill relating to the employment of children in theatres.

*France* : Morocco : Dahir of 13 July 1926 for the regulation of employment in industrial and commercial undertakings.

*Germany* : Workers' Protection Bill submitted to the Provisional Economic Council.

*Great Britain* : Malta : Factories Act of 17 December 1926.

*Guatemala* : Labour Act of 27 April 1926 (Chapter V).

*Hungary* : Decree of 1 January 1927 concerning medical certificates for children seeking employment in industry.

*Japan* : Imperial Decree of 7 June 1926 in application of the Act concerning minimum age for industrial workers.

*Netherlands* : Dutch East Indies : Decree of 1 March 1926.

*Roumania* : Bill relating to the employment of minors and women, submitted to the Superior Legislative Council.

*South Africa* : Bill amending the Factories Act of 1918.

*Sweden* : Bill amending workers' protection legislation (in preparation).

B. *Convention concerning the night work of young persons employed in industry (1919).*

(a) *Ratification measures.*

*Latvia* : Ratification registered on 3 June 1926.

*Paraguay* : Bill for the ratification of the Convention passed by the Chamber of Deputies on 24 May 1926 and sent to the Senate.

*Kingdom of the Serbs, Croats and Slovenes* : Ratification registered on 1 April 1927.

(b) *Application measures.*

*Belgium* : Decree of 23 April 1926.

*Brazil* : Minors' Code of 1 December 1926.

*France* : Morocco : Decree of 13 July 1926 for the regulation of employment in industrial and commercial undertakings.

*Germany* : Workers' Protection Bill submitted to the Provisional Economic Council.

*Great Britain* : Malta : Factories Act of 17 December 1926.

*Guatemala* : Labour Act of 27 April 1926.

*Japan* : Imperial Decree of 7 June 1926 in application of the Act concerning minimum age for industries workers.

*Mexico* : Federal Public Health Code of 27 May 1926.

*Netherlands* : Dutch East Indies : Decree of 1 March 1926.

*Roumania* : Bill relating to the employment of minors and women submitted to the Superior Legislative Council.

On the whole it may be considered that the scandal of child exploitation has practically disappeared in the majority of industrial communities. Although ratifications of the Conventions fixing the minimum age of admission to industrial employment at 14 years and forbidding young persons to work at night are less numerous than might be wished, legislation has been adopted in almost all countries limiting the age of admission to industrial employment at 12 or 13 years, and the employment of children 7 and 8 years old in industrial work has become a rare exception. But should such exceptions continue? The International Labour Organisation thinks not. It will be remembered how in 1921 it used the whole weight of its moral authority to end such unhappy conditions in certain countries. It must intervene in the same way wherever in any of the States Members political catastrophes, mass movements of population or economic crises tempt families or employers to employ young children. The Organisation welcomes the attention which Governments give to these matters, but it believes that the only way to prevent the abuses connected with child employment is to bring labour laws into line with the wholesome provisions of the Conventions adopted by the Conference. During the past year a certain number of fresh countries appear to have devoted attention to the problem. It must be admitted, however, that progress is still very slow. Nevertheless, thanks to the encouragement of important national and international organisations, legislative progress was made in 1926 in regard both to the age of admission to industry and to the night work of children in industrial employment.

173. *Age of admission to employment in industry.* — The following events for 1926 may be recorded in this connection.

In *Western Australia*, a new Bill proposes to raise the age of admission of boys to underground work in coal mines from 18 to 19 years.

In *Brazil*, the Minors' Code, a Federal measure, fixes the minimum age for admission to employment at 14 years, or 12 years for children who have completed their primary education, and also regulates the work of minors in places of amusement, street trades, etc.



In *France*, the Government has introduced Bills to raise the age of admission of children to work in inns and hotels, in public performances and in cinematograph studios. Further, the Supreme Labour Council has advised raising the minimum age for employment in certain transport services, public houses and similar establishments and in certain kinds of work in hospitals which involve risks to health.

In *Germany*, an important Bill concerning the protection of workers is being considered by the Legislature. This measure, should it become law, will bring the present law concerning the admission of children to industrial employment into agreement with the Draft Convention and will make ratification possible.

In *Guatemala*, the Labour Act passed on 27 April 1926 forbids the employment of children under 15 years old in any work, while young persons under 18 years old may not be employed in dangerous occupations.

In *Hungary*, an Order which came into force on 1 January 1927 provides that children between 12 and 16 may not be employed in factories unless they can prove by medical certificate that the work is not injurious to their health or physical development.

In the *Dutch East Indies*, an Order, which came into force on 1 March 1926, excludes children under 12 years old from work in factories, workshops, construction and transport, and in occupations which may exceed their strength.

In *Japan*, the Minimum Age of Industrial Workers Act, originally passed in 1923, was promulgated by Imperial Order of 7 June 1926. It applies both to industry and mines and raises the minimum age, in principle, from 12 to 14 years, permitting exceptions for children over 12 who have completed the prescribed educational course or who are already employed. The Mining Regulations have also been amended in the sense that the previous limit of 12 years has been deleted and the 14-year limit substituted for it, while the age for young persons under special protection will be raised from 15 to 16 years as from 1 July 1929.

In *Malta*, the Factories Regulation Act, which received assent on 17 December 1926, provides that no child under 14 years old may be employed in factories, building works, or quarries, while young persons under 18 years must have a medical certificate to show that they are fit for employment. The age for employment is raised to 16 years for boys and 18 years for girls in the case of dangerous occupations.

In *French Morocco*, a Decree of 13 July 1926, regulating employment in industry and commerce, forbids the admission of children under 12 to employment in the undertakings to which the Decree applies and provides for the medical inspection of all young persons under 16 years old. Decrees of 18 January and 21 January 1927 regulate the work of young persons under 16 years old in a number of dangerous and difficult occupations.

In *Roumania*, the Minister of Labour has submitted to the industrial organisations concerned the first draft of a Bill for the regulation of the work of women and children which gives effect to the Washington Conventions on the subject. It fixes the minimum age for admission to industrial work at 14 years and provides that children must have a certificate of physical fitness. The authorities may at all times require young persons under 18 years old who are at work in factories to be medically examined in order to ascertain that the work they are doing is not beyond their strength.

In *South Africa*, a Bill to prevent the employment of children under 14 years old has been introduced into the Legislature.

Before leaving the subject it should be observed that the employment of children in studios for the production of cinematographic films is beginning to engage the serious attention of child welfare organisations and of the public. This form of employment cannot always be regulated by the older child labour laws, and in some cases abuses have been observed. The matter was considered internationally by the First International Film Congress held in Paris during the autumn; the Congress referred the question to the Office for examination with a view to ascertaining whether some international agreement was not possible which would regulate the work of children under 15 years old in cinematograph studios.

174. *Night work of children and young persons.* — Most of the legislative measures (with the exception of the Hungarian Order) referred to above in connection with the age of admission to employment have provisions relating to the night work of young persons.

In *Belgium*, the Decree of 23 April 1926 issued under the Eight Hours Act of 14 June 1921 permits the employment of boys over 16 in certain categories of copper smelting works between 10 p.m. and 5 a.m.

In *Brazil*, the Minors' Code provides that no apprentice or worker under 18 years old may be employed at night, and defines "night" as the period between 7 p.m. and 5 a.m.



In *France*, the Superior Labour Council, at its 30th Session which opened on 15 November 1926, adopted a resolution recommending that the employment of young persons under 18 years of age should be prohibited in cafés, bars, public-houses, etc. between 9 p.m. and 7 a.m.

In *Germany*, the Bill provides that young persons under 18 years old may not be employed between 10 p.m. and 6 a.m.; the age at present is 16 years. The alteration will bring German law into line with the Washington Convention.

In *Guatemala*, the new Decree of 24 April 1926 forbids work between 7 p.m. and 7 a.m. for young persons of either sex under 18, but allows an exception in regard to girls over 15 employed in theatres and other public places of amusement.

In the *Dutch East Indies*, the new Order provides that children under 12 years of age may not be employed by or on behalf of an undertaking between 8 p.m. and 5 a.m.

In *Japan*, the effect of the new law is to raise the age at which children may be admitted to night work from 15 years to 16 years from the end of June 1929. "Night" is defined as the period between 10 p.m. and 5 a.m.

In *Malta*, the new Factories Act of 17 December 1926 provides that young persons under 18 years old in the case of girls and under 16 years old in the case of boys may not be employed at night without permission from the Ministry of Industry.

In *French Morocco*, the Decree of 13 July 1926 forbids the employment of young persons under 16 between 9 p.m. and 5 a.m.

In *Roumania*, the Bill which is being prepared will, when it becomes law, give effect to a number of Conventions already ratified by Roumania, and will prohibit night work for young persons under 18 years old.

#### *Protection of seamen.*

175. — In dealing above with the relations of the Office with shipowners and seamen, their characteristic outlook was alluded to, as well as the growing tendency in the International Labour Organisation to accord special treatment to the distinct questions affecting the shipping trade.<sup>1</sup>

The present section is accordingly devoted to matters directly bearing on the protection of seamen. Like the previous sections, it is in two divisions, the first of which

deals with the action taken in 1926 in the different countries on the decisions of the Conference regarding seamen and inland watermen, while the second reviews the present state of the principal problems affecting these two categories of workers.

#### *A. Effect given in 1926 to the Recommendation concerning the limitation of hours of work in inland navigation (1920).*

##### *(a) Communications to the Secretary-General of the League of Nations.*

*Esthonia*: The question of hours of work as a whole is undergoing revision. A Bill to deal with the subject in accordance with the provisions of the Washington Convention and with this Recommendation is in preparation (15 May 1926).

*Japan*: The Government informed the Office in 1922 that it had decided to enquire into the question of hours of work of seamen in general, and to take no special steps in respect of this Recommendation (4 August 1926).

*Norway*: A proposal submitted to the Storting in 1921 stated that since the question of hours of work at sea had not been settled by the Conference, the Minister of Social Affairs considered that this Recommendation required no special action (1 December 1926).

##### *(b) Application measures.*

*Esthonia*: Bill concerning hours of work (in preparation).

#### *B. Recommendation concerning the limitation of hours of work in the fishing industry (1920).*

##### *Communications to the Secretary-General of the League of Nations.*

*Esthonia*: Very few wage-earners are employed in the fishing industry and no need has been felt to regulate hours of work in this industry (15 May 1926).

*Japan*: The Government supplied the same information as on the subject of the Recommendation concerning hours of work in inland navigation (4 August 1926).

*Norway*: The Government supplied the same information as on the subject of the Recommendation concerning hours of work in inland navigation (1 December 1926).

#### *C. Recommendation concerning the establishment of national seamen's codes (1920).*

##### *(a) Communications to the Secretary-General of the League of Nations.*

*Esthonia*: A Seamen's Code exists in which are embodied all the Act and Regulations concerning seamen. Some of these provisions date from 1781, and are out of date. A new Code is in preparation (15 May 1926).

*Germany*: Recommendation approved by the German Government. The Recommendation calls for no special measure, since these provisions are fulfilled in Germany by the Seamen's Code of 2 June 1902 and the amendments which have since been made to it. The text of the new Seamen's Code which is in preparation will contain still more complete codification of legislation concerning employment at sea (12 August 1926).

<sup>1</sup> See ante § 27, 33, and 100.

*Japan* : The Government informed the Office in 1922 that a collection of maritime Acts and Regulations existed (*Kaiji Hoki Ruisan*). Some provisions could be adjusted to present conditions, and an enquiry would be carried out into these Acts and Regulations as whole (4 August 1926).

*Norway* : A proposal submitted to the Storting in 1921 stated that this Recommendation was carried out by the "Seamen's Code" (Act of 16 February 1923) (1 December 1926).

(b) *Application measures.*

*Belgium* : Bill concerning the regulation of seamen's articles of agreement, submitted to Parliament on 22 July 1926.

Bill concerning the new Disciplinary and Penal Code for the mercantile marine and for the sea-fishing industry submitted to Parliament on 22 July 1926.

*Estonia* : Draft national seamen's code (in preparation).

*France* : Act of 13 December 1926 establishing a seamen's code.

Act of 13 December 1926 establishing a Disciplinary and Penal Code for the mercantile marine.

*Italy* : Bill in preparation.

*Latvia* : On 21 March 1927 the Ministry of Social Welfare Stated that a Bill to regulate employment at sea had recently been submitted to the Social Legislation Committee of Parliament (*Saeima*).

D. *Convention fixing the minimum age for the admission of children to employment at sea (1920).*

(a) *Ratification measures.*

*Latvia* : Ratification registered on 3 June 1926.

*Kingdom of the Serbs, Croats and Slovenes* : Ratification registered on 1 April 1927.

(b) *Application measures.*

*Belgium* : Bill to regulate seamen's articles of agreement submitted to Parliament on 22 July 1926.

*Netherlands* : Netherlands East Indies : Ordinance of 27 February 1926.

*Roumania* : Bill concerning the employment of minors and women submitted for examination to the Superior Legislative Council.

E. *Recommendation concerning unemployment insurance for seamen (1920).*

(a) *Communications to the Secretary-General of the League of Nations.*

*Estonia* : Unemployment insurance for seamen is not considered necessary (15 May 1926).

*Germany* : Provisionally applied by the Decree of 30 October 1925 concerning unemployment benefit for seamen ; the final application of the Recommendation will be carried out by the adoption of the Unemployment Insurance Bill (12 August 1926).

*Japan* : The Government informed the Office in 1922 that this insurance would be set up at the same time as unemployment insurance for workers in general, and after the complete establishment of the system of employment offices for seamen (4 August 1926).

*Norway* : A proposal submitted to the Storting in 1921 stated that this Recommendation was carried out by existing legislation (1 December 1926).

(b) *Application measures.*

*Germany* : Act of 21 February 1927 extending the scope of the Order concerning unemployment benefit to share fishermen engaged in the herring fishing industry.

Act of 10 December 1926 amending the Decree concerning unemployment benefit.

Bill concerning unemployment insurance submitted to the Reichstag.

F. *Convention concerning unemployment indemnity in case of loss or foundering of the ship (1920).*

(a) *Ratification measures.*

*Denmark* : Bill to ratify the Convention submitted to the Rigsdag during the 1926-1927 session, but lapsed owing to the dissolution.

*France* : The Chamber of Deputies adopted on 8 April 1927 a Bill for the ratification of the Convention.

*Latvia* : Conditional ratification registered on 5 August 1926.

(b) *Application measures.*

*Belgium* : Bill to regulate seamen's articles of agreement submitted to Parliament on 22 July 1926.

*Denmark* : Bill to amplify the Seamen's Act of 1 May 1923 submitted to the Rigsdag in 1926, but lapsed owing to the dissolution.

*Estonia* : Draft Seamen's Code (in preparation).

*Netherlands* : Bill to amend the Commercial Code (in preparation).

G. *Convention for establishing facilities for finding employment for seamen (1920).*

(a) *Ratification measures.*

*Denmark* : Bill to ratify the Convention submitted to the Rigsdag during the 1926-1927 session, but lapsed owing to the dissolution.

*France* : Bill to ratify the Convention adopted by the Chamber of Deputies on 4 March 1927.

*Latvia* : Ratification registered on 3 June 1926.

(b) *Application measures.*

*Belgium* : Royal Decree of 20 January 1926 setting up a Joint Committee for the recruitment of seamen.

Bill to regulate seamen's articles of agreement submitted to Parliament on 22 July 1926.

Bill concerning the new Disciplinary and Penal Code for the mercantile marine and sea fishing industry submitted to Parliament on 22 July 1926.

*Denmark* : Bill concerning the engagement and enrolment of seamen submitted to the Rigsdag in 1926, but lapsed owing to the dissolution.

*Finland* : Act of 27 March 1926 concerning employment offices.

Decision of the Council of State of 22 April 1926 concerning the regulation of employment offices, and grants to employment offices and employment agents.

*France* : Act of 13 December 1926 establishing a Seamen's Code.

*Greece* : Decree of 30 October 1926 for the establishment of seamen's employment offices.

*Netherlands* : Bill concerning employment offices (in preparation).



H. *Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers (1921).*

(a) *Ratification measures.*

*Belgium* : Ratification registered on 19 July 1926.

*France* : Bill for ratification adopted by the Chamber of Deputies on 4 March 1927.

*Netherlands* : Act of 10 June 1926 approving the Convention.

*Kingdom of the Serbs, Croats and Slovenes* : Ratification registered on 1 April 1927.

(b) *Application measures.*

*Japan* : Act of 24 February 1927 concerning the age of admission for young persons to employment as trimmers or stokers.

*Netherlands* : Bill to amend the Labour Act of 1919 submitted to the Superior Labour Council.

*Roumania* : Bill concerning the employment of minors and women submitted to the Superior Legislative Council.

I. *Convention concerning the compulsory medical examination of children and young persons employed at sea (1921).*

(a) *Ratification measures.*

*Belgium* : Ratification registered on 19 July 1926.

*Denmark* : Bill for ratification introduced in the Rigsdag during the 1926-1927 session, but lapsed owing to the dissolution.

*France* : Bill for ratification adopted by the Chamber of Deputies on 4 March 1927.

*Netherlands* : Act of 10 June 1926 approving the Convention.

*Kingdom of the Serbs, Croats and Slovenes* : Ratification registered on 1 April 1927.

(b) *Application measures.*

*France* : Act of 13 December 1926 establishing a Seamen's Code.

*Latvia* : Bill (in preparation).

*Netherlands* : Bill to amend the Decree of 1920 concerning hours of work (in preparation).

*Roumania* : Bill concerning the employment of minors and women submitted to the Superior Legislative Council.

J. *Draft Convention concerning seamen's articles of agreement (1926).*

(a) *Ratification measures.*

*Argentina* : The text of the Convention has been sent to the competent national services for such action as may be necessary (23 February 1927).

*Belgium* : Bill for ratification of the Convention introduced in the Chamber of Representatives on 24 March 1927.

*Cuba* : Submitted to the National Congress with recommendation of ratification by Presidential Message.

*Denmark* : The Government has introduced in the Rigsdag a Bill to authorise ratification at the Convention as soon as Bill to give effect to it has been passed.

(b) *Application measures.*

*Belgium* : Bill to regulate seamen's articles of agreement submitted to Parliament on 22 July 1926.

*Denmark* : Bill to amplify the Seamen's Act of 1 May 1923 submitted to the Rigsdag, 1926.

*Ecuador* : Regulation of the crew of mercantile marine vessels approved by Decree of 19 August 1926.

*France* : Act of 13 December 1926 establishing a Seamen's Code.

K. *Draft Convention concerning the repatriation of seamen (1926).*

(a) *Ratification measures.*

*Argentina* : The text of the Convention has been sent to the competent national services for such action as may be necessary (23 February 1927).

*Belgium* : Bill for ratification of the Convention introduced in the Chamber of Representatives on 24 March 1927.

*Cuba* : Submitted to the National Congress with recommendation of ratification by Presidential Message.

*Denmark* : The Government has introduced in the Rigsdag a Bill to authorise the ratification of the Convention so soon as a Bill to give effect to it has been passed.

(b) *Application measures.*

*Belgium* : Bill to regulate seamen's articles of agreement submitted to Parliament on 22 July 1926.

*Denmark* : Bill to amplify the Seamen's Act of 1 May 1923 submitted to the Rigsdag (1926).

*France* : Act of 13 December 1926 establishing a Seamen's Code.

*Italy* : Royal Decree No. 2023 of 14 November 1926 amending the Regulations issued in application of the Mercantile Marine Code (Indemnities and Repatriation).

L. *Recommendation concerning the repatriation of masters and apprentices (1926).*

*Argentina* : The text of the Recommendation has been sent to the competent national services for such action as may be considered necessary (23 February 1927).

*Cuba* : Submitted to the National Congress with a recommendation of approval by Presidential Message.

*Denmark* : Submitted to the Rigsdag on 6 October 1926.

M. *Recommendation concerning the general principles for the inspection of the conditions of work of seamen (1926).*

*Argentina* : The text of the Recommendation has been sent to the competent national services for such action as may be necessary (23 February 1927).

*Cuba* : Submitted to the National Congress with a recommendation of approval by Presidential Message.

*Denmark* : Submitted to the Rigsdag on 8 October 1926.

176. — The more important and pressing problems of interest to seamen will now be examined, together with the progress made in 1926 towards international solutions.

In the first place, the Conference is again to take a decision on the question of the *international regulation of hours of work on board ship*.

Allusion was made in last year's Report to the unanimous desire of the seamen that



the question of the advisability of placing the matter on the agenda of the 10th. Session of the Conference should be raised at the 9th. Session. Actually, on the proposal of the workers' group, the following resolution was adopted by the Conference by 67 votes to 26 :

The Conference asks the Governing Body to place the question of the regulation of hours of work on board ship on the agenda of a special maritime session in 1928 and to submit this question to the Joint Maritime Commission at its next regular session.

Before coming to a decision on this resolution the Governing Body, in accordance with the instructions of the Conference itself, referred it to the Joint Maritime Commission, and the latter, after discussing the matter at two sittings (7th. Session, January 1927) voted in favour of placing it on the agenda by 7 votes to 5.

As a consequence, it was decided at the 34th. Session of the Governing Body (January 1927) by 13 votes to 9 that the question of the regulation of hours of work on board ship should be provisionally placed on the agenda of the next maritime session of the Conference. At the same time, while thus bowing to the wish of the Conference, the Governing Body retained the right to enter into further investigations and negotiations.

A final decision was reached at the 35th. Session (April 1927) after prolonged discussion in which most of the members of the Governing Body showed a desire for conciliation. After rejecting, by 15 votes to 8 with 1 abstention, a suggestion that the decision should be deferred until the agenda of the 1929 Conference would normally have to be fixed, the Governing Body adopted a compromise suggested by the French Government representative. It decided to place the question on the agenda of a Conference to be held in 1929, this decision being now final. The decision was taken by 15 votes to 6, with 3 abstentions. With the exception of Great Britain, India and Canada, the representatives of which countries abstained from voting, all the Governments voted in favour. The workers' group was also unanimous in voting for the proposal, while the employers' group continued to maintain their attitude of opposition.

A definite decision has thus been taken in circumstances which would appear to augur well for the work of the maritime Conference. It should be observed that the question which the Conference will discuss is much wider than that discussed at Genoa. The Conference will be asked to draw up regulations, the principles of which the Governing Body desire in no way to fix in advance. It would seem that in these circumstances the two years which will pass before the Conference meets will enable negotiations to be undertaken by which the

cooperation of all the Governments may be secured and particularly those of countries possessing the most important mercantile marines. Further, the Office remains at the disposal of shipowners and seamen, either with a view to facilitating direct conversations between their representatives or for arranging in the Joint Maritime Commission or in the special Sub-Committee, which the Office itself recommended should be created, a common study of the proposals which may be made by the various organisations. The investigations into this particularly difficult question should thus furnish a further opportunity for the exercise of that spirit of cooperation which should govern all the Organisation's work, and so help to remove some of the practical difficulties which have still to be dealt with in establishing international regulations applicable to the various categories of seamen and the different varieties of navigation and capable of being generally adopted notwithstanding the existing differences in ideas on and methods of fixing hours of work on board ship.

177. — When the Genoa Conference recommended the States Members of the Organisation to codify their regulations on maritime labour in the form of *national codes*, the intention was to facilitate the drawing up of an *international seamen's code*.

The investigations made in preparation for the 9th. Session of the Conference showed the remarkable extent to which the Recommendation had been applied in certain countries. At present it may be said that the information given in the first part of the present section shows that the work of the Conference itself gave fresh stimulus to the application of this Recommendation. Several countries e.g. Belgium, Esthonia, France, Germany, Italy, Latvia, Netherlands, are endeavouring to complete or rapidly to codify their regulations on the work of seamen.

Part of the preparatory work for the 9th. Session consisted in the publication of the French and English editions of the *collection of laws and regulations* on the engagement, dismissal and discipline of seamen. The German edition was published shortly after the Conference, and an alphabetic index will shortly be issued which will enable the reader to find without delay in the three editions the legislation in force on the main points in the whole of the countries. It is proposed that this work should be completed by a supplement containing the most recently adopted laws.

Furthermore, at the last session of the Joint Maritime Commission it was observed that publication of the laws on the engagement, discharge and discipline of seamen was merely the first part of a general



collection of the laws and regulations on maritime work. The Office therefore is considering continuing this publication, taking into account as far as possible the questions on the agenda of the next maritime session of the Conference.

178. — *The international codification of rules relating to seamen's articles of agreement* was the most important subject treated at the last maritime Conference. Two Draft Conventions, one dealing with articles of agreement and the other with the repatriation of seamen, were adopted; this means that a big step has been taken on the international seamen's code. A Recommendation on the repatriation of masters and apprentices was also adopted.

These results were reached in spite of the conflict at the Conference itself of the two opposing views referred to in last year's Report—the view that the rights and duties of shipowners and seamen should be definitely laid down and the view that only the principles generally recognised in the various national laws should be indicated and that it should be left to these laws to lay down methods of application. The texts eventually arrived at as the result of long and sometimes heated discussion represent to some extent a compromise. They are chiefly concerned with laying down wide principles already admitted in the great majority of laws, but nevertheless contain provisions in greater detail on certain points which were inserted at the request of the seamen.

The Draft Convention on seamen's articles of agreement was finally adopted unanimously, while the Draft Convention on the repatriation of seamen and the Recommendation on the repatriation of masters and apprentices were adopted by a considerable majority. It may therefore be hoped that these texts will quickly be incorporated in national law in the different countries, and as a matter of fact during the short period which has elapsed since the Conference a certain number of steps in the direction of ratification and application have already been taken. As these measures become more general the principles of the engagement and repatriation of seamen will necessarily become more uniform. Though these principles may not mean extraordinary social progress for the majority of the great maritime countries and still leave room for the different ideas embodied in national laws, still they will form a valuable basis for further improvements in the laws of these countries. Moreover, they are specially suitable for the guidance of certain States whose maritime legislation is less developed or only still being worked out.

179.— On one question, however, viz. the *disciplinary and criminal sanctions in articles of agreement*, no result was reached by the Conference.

Following the suggestions of the majority of the Governments the Office had embodied in separate proposals for a Draft Convention provisions for ensuring that the members of the crew carried out their professional duties. These provisions included an article stating that offences termed "desertion", "absence without leave" and "refusal to obey orders" should in principle be disciplinary offences and should not be considered as criminal offences except when committed in certain aggravating circumstances implying that safety on board or the accomplishment of the voyage were compromised. This solution was on the lines of a series of recent laws under which the injury to the public interest resulting from the absence of the seaman only justifies imprisonment of the seaman if it is of such a kind as to endanger the safety of the ship or to hold up the voyage.

The Committee appointed to study the proposed draft could not agree on the subject of this article, and omitted it entirely from the Draft Convention which it submitted to the Conference. Hoping, however, that agreement, which at the moment appeared impossible, might be reached in the future, the Committee submitted to the Conference a draft resolution calling on the Office to study the question of penalties for violation of seamen's articles of agreement and to examine international methods of dealing with the question. This resolution was adopted by the Conference, after the Draft Convention drawn up by the Committee had been rejected as well as the Recommendation proposed in its stead.

The Conference thus refused to lay down international rules on discipline unless the capital problem of penalties for desertion, etc., was dealt with at the same time. But notwithstanding the conflict of ideas on the subject and the difficulty of embodying a solution in the text of the Convention, the Conference affirmed that the problem was one to be dealt with by the Organisation and instructed the Office to follow its development until it should appear possible to re-examine it successfully.

At its last session the Joint Maritime Commission indicated that the work to be done should be as complete as possible, should take account of the law and practice in the various countries, and should in particular cover methods of ensuring rapid procedure when one of the parties is accused of breach of agreement.

With these indications and the spirit of the Conference's decision to guide it generally the Office will endeavour not only to keep up to date all the documentary information it already possesses, part of which has been published, but also to prepare a report, which provisionally at least will only be communicated to the Joint Maritime Commission.

In a number of countries legislation in progress seems to following similar lines,



and an examination of the recent decisions of the courts seems to show to what extent respect for the law, old or new, can possibly be reconciled with new ideas, or must take account of the practical necessities of service at sea. It is not thought that the development of the question will have reached a stage enabling an international solution as recommended by the Conference to be again discussed until several years have elapsed, but even now the Office is endeavouring, by analysing and criticising laws and doctrines, to elicit the principles on which such a solution might be based.

180.—A less difficult problem, but one of wide extent and great complexity, is that of *social insurance for seamen*. It would appear that this question ought to be treated at a number of sessions of the Conference. No steps in the direction of international regulations have yet been taken, although it was proposed to do so as long ago as 1921 in a resolution of the Committee on maritime questions of the 3rd Session of the Conference. In any case, it seemed desirable that the results of the work of the Conference on the various branches of insurance for workers in general should be awaited.

The stage which this work has reached, however, has enabled the Governing Body, in accordance with the unanimous opinion of the Joint Maritime Commission, to place on the agenda of the maritime Conference in 1929 the question of the "protection of seamen in case of illness, including treatment of injuries on board ship".

The recommendations of the Commission made it clear that the measures to be taken should not be limited to systems organised in the form of insurance; problems relating to pensions were not included, but everything relating to the treatment of sick or injured seamen will have to be gone into.

Thus the work of the 1929 Conference will by no means exhaust the whole problem of sickness insurance for seamen but it will cover the more important subjects, and satisfactory results will be obtained the more easily as these subjects will have been clearly defined and their discussion prepared by the debates at the current session.

The Office has already endeavoured to carry on its researches relating to sickness insurance in such a manner as to facilitate consideration of the question in the case of seamen. Further, the technical report presented this year to the Conference will be completed later by a special résumé drawn up in agreement with the members of the Joint Maritime Commission in which the insurance systems peculiar to seamen will be examined, as well as all other provisions in their favour in case of sickness, particularly those which are most often dealt with in commercial legislation and which place certain duties directly on the shoulders of the shipowners.

181. — The Office was requested by the 9th. Session of the Conference to continue its work in connection with *seamen's welfare in port*.

It will be explained below in what way this work has been linked up in practice with that concerning the health of seamen. On the special question of welfare in port, however, it will be for the Conference itself to take note of the results obtained and to coordinate all the efforts for seamen's welfare in port. As a matter of fact, the Governing Body, in accordance with the suggestions of the Joint Maritime Commission, has placed the question on the agenda of the maritime session of the Conference in 1929. There is no doubt that a Recommendation will be voted with practical unanimity, and its application will furnish the opportunity for collaboration between public authorities and shipowners' and seamen's organisations of the kind which should constantly be striven after.

The above brief review covers the principal questions connected with seamen's protection which come before the Conference, or are more particularly connected with its work. In addition, however, there are certain researches and investigations undertaken by the Office itself, with the object of further extending that protection, in particular by sharing in measures to guarantee the health and welfare of seamen, to prevent accidents among the crew, and generally speaking to ensure safety at sea.

182. — With regard to the *protection of the health of seamen*, former Reports to the Conference have mentioned that on several occasions, e.g. when the Office joined in the international action for the prevention and treatment of venereal diseases among seamen, the Norwegian Red Cross and the League of Red Cross Societies had drawn attention to the desirability of ensuring permanent collaboration for the improvement of health conditions in the mercantile marine (hygiene and food on board, medical treatment at sea and on land, prevention and treatment of tuberculosis, tropical diseases and the chief affections to which seamen are particularly exposed).

These organisations invited the Office to a Conference convened to this end which was also attended by representatives from several other international organisations. The Conference met at Oslo, Bergen and Trondhjem from 28 June to 5 July 1926. Resolutions were unanimously adopted requesting the International Labour Office, the Health Section of the League of Nations and the other interested international organisations to unite in appointing a permanent Committee on seamen's welfare, which would consult experts on a number of points concerning the health and welfare of seamen on board ship and on land.



The collaboration thus begun cannot fail to yield practical results. At the first meeting held in February the Mixed Committee began to examine the three questions on its agenda, — medical stores on board ship, preparation of a medical manual, radiotelegraphic transmission of medical information. On certain points it was decided to consult organisations of ship-owners, seamen, doctors and ships, officers particularly as regards the direction which future enquiries should take.

183. — On certain problems concerning the *safety* of crews which fall more particularly within the province of the Transit Organisation of the League of Nations, the steps taken by the Office have already been described (§ 56). Some reference should be made, however, to the work which is being carried on and to the results obtained in other directions, such as the regulation of deck cargoes, the prohibition of the overloading of ships and statistics of shipwrecks and accidents at sea.

Readers of last year's Report are aware how the Office and the Joint Maritime Commission were led to study the question of the *regulation of deck cargoes*, and to recommend the adoption in the countries interested of a proposal drawn up by the International Shipping Conference concerning the transport of wood cargoes. This was the result of an agreement on this highly technical subject between the ship-owners' and seamen's representatives, the object of which is to protect both the commercial interests of the maritime and transport industries and the safety of the men themselves.

With regard to cargoes other than wood, it may be equally desirable that in certain cases their carriage on deck should be subject to regulation. It is obviously difficult, however, to give international force to provisions which are only found occasionally in existing legislation and which in any case can only be applied in practice to specific cargoes and forms of navigation. Nevertheless, in accordance with the suggestions of the Joint Maritime Commission, the Office has undertaken to prepare a report on the legislation and current methods of application in this matter in the various countries. With this report before it, the Commission will decide as to the advisability of drawing up regulations.

The safety of the crews, again, was the reason for the Office's taking up the question of the *overloading of ships*. It was recognised by the Joint Maritime Commission, at its session in January 1927, that limiting regulations were in existence in most countries, but it was thought desirable that such regulations should be made

general and their application strictly enforced. Consequently, the Office, with the assistance of the sub-committee already appointed to examine the question of deck cargoes, will have to investigate the present practice in the various countries and submit proposals to the next session of the Joint Maritime Commission.

The question of the *unification of statistics of shipwrecks and accidents at sea* arose out of the work on the international regulation of deck cargoes. The Joint Maritime Commission had noted that statistics on accidents at sea drawn up by certain national administrations made no mention of the cause of the shipwrecks and accidents to seamen, or at the most included them under headings so general that it was difficult to form an idea of the actual effect of certain risks on happenings at sea. It was observed, in particular, that very frequently no special mention is made of accidents arising from the nature of the cargo or methods of stowing. These observations led the Committee to think that it would be desirable to consider the possibility of obtaining from Governments statistics on accidents, both in greater detail and admitting of better comparison.

It was stated in the Director's Report to the 8th. Session of the Conference that the model tables proposed by the Office had been on the whole very favourably received. Some Governments even adopted them in their entirety. At the same time, in order to take account of observations contained in some of the replies, the Office drew up revised tables and submitted them to the Joint Maritime Commission. The Commission has deferred giving an opinion until its next session, in order that the members may examine the tables in detail and criticise them in writing. As soon as the further opinion of the Commission is known the tables in their final form will be forwarded to the national administrations.

184. — The Office has continued or begun various researches intended to initiate or facilitate further measures of protection for seamen. Mention may be made in particular of two enquiries called for by the Conference itself, dealing, the one with the fishing industry, and the other with the work of fishing for sponges and other sub-marine products.

In previous Reports attention has been drawn to the importance of the *enquiry into conditions of work in the fishing industry*. This enquiry had been called for as long ago as the 1st. Session of the Joint Maritime Commission (November 1920), when examining the means by which the Genoa resolution on hours of work in the fishing industry might be applied. The



execution of the enquiry had, however, been delayed to some extent on account of urgent work, outside the regular work of the Office. At present the enquiry is of particular interest since questions relating to fishermen are occupying the attention of an increasing number of Governments, as is seen from the discussions and certain decisions of the 9th. Session of the Conference, as well as the ever-growing number of requests for information received in the Office.

On the conclusion of the 9th. Session of the Conference, documentary research was immediately resumed, and, although the information collected up to the present is still incomplete, it is sufficiently extensive to indicate the main lines of the task to be achieved.

It is thought that the Report which it is proposed to publish will be received with all the greater interest since publications on the work of fishermen are somewhat rare and limited to special kinds of fishing and to a small number of countries. If the present work is to be authoritative, however, it must possess a technical and scientific character and must also cover a fairly considerable amount of ground. The principal subjects to be treated must be the organisation of the work and its remuneration, which questions can only be properly dealt with if the chief methods of fishing involved are explained at the same time.

The Office proposes to limit itself to sea-fishing, but to examine as fully as possible the conditions of work among workers employed in those kinds of fishing which are of a specially industrial character, such as coastal and deep sea trawling, seasonal fisheries (herring, sardine, tunny), distant fisheries (Iceland, Newfoundland, African Coast) and whaling. An endeavour will be made to indicate the legislation relating to these kinds of fishing, the collective agreement in force, the conditions of engagement imposed by the shipowners, the rules relating to the engagement and discharge of fishermen, organisation of work (hours of work, rest periods, holidays, composition of crews), remuneration (fixed wages, remuneration by a share of the catch, various allowances), living conditions on board (crews' quarters, sleeping accommodation, heating, feeding, sanitary arrangements). It is also proposed to indicate the practical necessities which may in some cases make it difficult for the rules in force to be carried out strictly and also the methods which are being tried to arrive at a more scientific organisation, thus promoting at the same time the progress of the regulation of the work of fishermen and the industrial efficiency of that work.

In spite of the special difficulties which will be encountered, it is thought impossible to leave completely on one side the study of conditions of work in small scale

fishing. It is true that fishing of this kind is generally carried out by members of the same family or by a system of cooperation, so that it is not certain in some cases whether the workers employed in it can really be regarded as wage-earners. At the same time, these workers, being generally unorganised and naturally inclined to resignation, are more frequently abused than others.

In addition to the study of the conditions of engagement and work of fishermen, it is intended to give a brief account of the various social institutions which have been set up for their benefit in certain countries. These include not only the various kinds of provident fund, but also Government or private organisations intended either to assist the fisherman (by providing medical treatment at sea or on land; by instituting fishermen's homes and refuges) or to enable him to acquire the ownership of the equipment required for fishing or to obtain better remuneration for his work (maritime credit institutions, fishing co-operative societies, purchase and selling cooperative societies).

In order to supplement the information on these questions in the possession of the Office, it is proposed to consult the maritime administrations as well as the technical authorities dealing with fisheries which exist in the various countries. In addition to this, certain employers' or workers' organisations have already provided or promised valuable information. Besides, investigations will be made on the spot when necessary, in order to study certain points of special interest, to co-ordinate the information already obtained and to give a less theoretical character to the publication as a whole.

Besides a general enquiry into the fishing industry, a resolution was adopted at the 9th. Session of the Conference calling for an *enquiry into conditions of work in fishing for sponges, pearls of all kinds, coral, and submarine products in general.*

It is not clear what is to be included among submarine products. For the time being, at any rate, it is thought necessary to confine research to the principal products which are exploited industrially, viz., sponges, tortoise shell, mother-of-pearl, real pearls, and coral. It is also considered that the methods of fishing particularly referred to are diving with apparatus and diving without apparatus. It is proposed, without entirely excluding other kinds of fishing, and in particular trawling, to deal more especially with the conditions of work of divers with and without apparatus. The work of both these categories is particularly trying, is rarely subject to regulations, and is in any case difficult to supervise.

The first step taken was to begin a documentary enquiry by examining the



texts of laws and publications on the subject which had been collected. It is intended to ask the Governments interested to obtain such additional information as can be furnished by maritime administrative offices or colonial authorities. If desirable, the eventual possibility of making enquiries on the spot will be considered.

185. — Such has been the work of the Office in 1926. It has not been free from difficulty and it has not yet been possible to extend it as far as was hoped. The economic crisis, which was particularly severe in the maritime transport industry, has been the cause of a certain amount of keen anxiety in shipping circles in regard to international competition, and the fresh burdens which might be involved in social reform have aroused apprehensions which sometimes constitute a serious hindrance to further progress.

This consideration, on which stress has so frequently been laid, has carried sufficient weight to bring forth a suggestion that the expenses at present borne by the national shipping trades should be estimated and compared. Some of the employers' organisations had already taken steps in this direction on more than one occasion. The Office has been officially asked by an industrial organisation, the International Association of Mercantile Marine Officers, to enquire into the financial burdens which are laid upon shipowners by the staff they employ, apart from wages—particularly expenses arising out of legal provisions for the protection of seamen (social insurance, compensation for accidents, old age pensions, welfare funds, minimum numbers of crew, hours of work, repatriation, etc.).

The Office considers that for a study of this kind the assistance of industrial organisations, particularly employers' organisations, would be necessary. The International Shipping Federation has been approached on the subject, but has not found it possible to request its members to collaborate.

In view of this situation, the Joint Maritime Commission recognised that it would be extremely difficult for the Office to carry out the general enquiry called for, and to take responsibility for figures and comparisons which might only too easily be disputed. It was agreed, however, that when the present researches into social charges for industry as a whole were sufficiently advanced, the Office would reconsider, in the light of the results obtained, the possibility of collecting information on certain definite questions with reference to the charges peculiar to the shipping industry.

This rapid review will suffice to show that, if the work of the Office for the protection of workers at sea has had to be

primarily devoted to affairs connected with the Conference and the preparation of the 9th. Session in particular and the one to be held in 1929, it has nevertheless been possible with restricted means to make contributions in the way of scientific research and towards international organisation of the work on behalf of seamen which are by no means negligible. The Office has patiently organised its activities in harmony with national Government offices and with organisations of shipowners, officers and seamen. The collaboration of all concerned has been maintained, and will enable the International Labour Organisation to carry on its work for the protection of seamen.

### *Agricultural workers*

186. — It is an undoubted fact that during recent years agricultural questions—agricultural production, sale of agricultural produce, agricultural labour—have more and more occupied the attention of the majority of States. The disproportion, noticeable before the war and accentuated by the war, between agricultural production and industrial production, to the profit of the latter; the redistribution of agricultural property in certain countries; the difficulty of bringing back agricultural labour to the land in certain belligerent countries after demobilisation; these and other causes have forced countries to accord to agricultural problems the importance which they deserve. There are many signs of a reawakening of interest in such problems.

The International Labour Organisation anticipated this reawakening, was associated with it and perhaps even was partly responsible for creating it, since at its 1921 session the Conference adopted numerous measures in favour of agricultural workers. Before considering the causes and the development of this increase of interest in everything pertaining to agriculture, reference will be made, as in preceding sections, to the effect so far given to these decisions of the Conference. An attempt will then be made to indicate generally the other results obtained in the various countries in the light of the situation as it appears at the end of 1926.

#### *A. Effect given in 1926 to the Recommendation concerning the prevention of unemployment in agriculture (1921).*

*Communications to the Secretary-General of the League of Nations.*

*Belgium* : Recommendation approved by the Government; there is no unemployment in agriculture; agricultural workers can use the official and other labour exchanges (2 March 1927).



*Esthonia* : Unemployment in agriculture is only seasonal ; measures have been taken in accordance with Part I (5) (15 May 1926).

*Japan* : The Government informed the Office in 1923 that most of the measures recommended were already carried out (4 August 1926).

*Norway* : A report submitted to the Storting in 1923 stated that the authorities had examined the Recommendation and considered that Part I (1), (2) and (3) was already applied, that other measures applying (4) and (5) were desirable, but that as regards (6), it seemed more important to encourage agricultural workers to acquire and cultivate their own land. No objection to the application of Part II (1 December 1926).

#### B. *Recommendation concerning the protection, before and after childbirth, of women wage-earners in agriculture.*

*Communications to the Secretary-General of the League of Nations.*

*Esthonia* : A provision dealing with this question was inserted in the Sickness Insurance Bill introduced in the State Assembly in 1924 (15 May 1926).

*Japan* : The Government informed the Office in 1923 that the conditions of employment of women in agriculture were special, and that it was not therefore possible at present to undertake the steps suggested by the Recommendation (4 August 1926).

*Norway* : A report submitted to the Storting in 1923 stated that the enforcement of the Recommendation should be considered in connection with that of the Washington Convention, when amendment was undertaken of the Workers' Protection Act (1 December 1926).

#### C. *Recommendation concerning night work of women in agriculture (1921).*

*Communications to the Secretary-General of the League of Nations.*

*Esthonia* : The Act of 1 November 1921, regulating the hours of work and wages of agricultural workers, is in conformity with the principle of the Recommendation (15 May 1926).

*Japan* : The Government informed the Office in 1923 that it would apply the principle of the Recommendation after careful consideration of the limits within which such application was possible (4 August 1926).

*Norway* : A report submitted to the Storting in 1923 stated that the climatic conditions required in some exceptional cases the carrying out of work during the night, and that therefore the adoption of legislation to give effect to the Recommendation had not been proposed (1 December 1926).

#### D. *Convention concerning the age for admission of children to employment in agriculture (1921).*

*Ratification measures.*

*Denmark* : Bill for ratification introduced in the Landsting in 1926.

*Hungary* : Ratification registered on 2 February 1927.

*Netherlands* : The Minister of Labour, Commerce and Industry is examining the question of ratification (statement to the Second Chamber of the States-General on 29 April 1926).

#### E. *Recommendation concerning night work of children and young persons in agriculture (1921).*

*Communications to the Secretary-General of the League of Nations.*

*Esthonia* : The Act of 1 November 1921, regulating the hours of work and wages of agricultural workers, is in agreement with the principles laid down in the Recommendation (15 May 1926).

*Japan* : The Government informed the Office in 1923 that it would apply the principles of the Recommendation as far as possible after careful consideration of the limits within which such application could be carried out (4 August 1926).

*Norway* : A report submitted to the Storting in 1923 stated that there was no objection in principle. The climatic conditions, however, in exceptional cases required the carrying out of some work by night and the adoption of legislation to give effect to the Recommendation had not therefore been proposed (1 December 1926).

#### F. *Recommendation concerning the development of technical agricultural education (1921).*

*Communications to the Secretary-General of the League of Nations.*

*Belgium* : Approved by the Government ; technical agricultural education is widely developed in Belgium (2 March 1927).

*Esthonia* : Technical agricultural education is still controlled in Esthonia by the old Russian legislation. The present schools, however, no longer resemble the institutions of the Russian regime, and are more like the Finnish and Swedish schools, which are better adapted to conditions in Esthonia. The question had not yet been settled from the legal point of view, because the Government considers that it must first examine which type of school is better suited to the present situation (15 May 1926).

*Japan* : The Government informed the Office in 1923 that the Recommendation was fully carried out (4 August 1926).

*Norway* : A report submitted to the Storting in 1923 stated that technical agricultural education was widely developed, and in particular was open to small farmers (1 December 1926).

#### G. *Recommendation concerning living-in conditions of agricultural workers (1921).*

*Communications to the Secretary-General of the League of Nations.*

*Belgium* : Recommendation approved by the Government. The State agricultural experts endeavour to encourage the improvement of living-in conditions of agricultural workers and supply the necessary information and plans. The provinces of Brabant and Hainaut have regulations on living-in conditions of permanent and seasonal agricultural workers (2 March 1927).

*Esthonia* : The matter is regulated by § 4 of the Act of 1 November 1921 concerning the hours of work and wages of agricultural workers (15 May 1926).

*Japan* : The Government informed the Office in 1923 that it was difficult to enforce the provisions of the Recommendation owing to the living-in conditions in the country (4 August 1926).



*Norway* : A report submitted to the Storting in 1923 stated that the measures laid down in the Recommendation were in the main applied in Norway (1 December 1926).

## H. *Convention concerning the rights of association and combination of agricultural workers (1921).*

### (a) *Ratification measures.*

*Belgium* : Ratification registered on 19 July 1926.

*Denmark* : Bill for ratification introduced in the Landsting in 1926.

*Netherlands* : Ratification registered on 20 August 1926.

### (b) *Application measures.*

*India* : Trade Unions Act of 1926.

## I. *Convention concerning workmen's compensation in agriculture (1921).*

### (a) *Ratification measures.*

*Netherlands* : Ratification registered on 20 August 1926.

### (b) *Application measures.*

*Great Britain* : Trinidad and Tobago : Ordinances Nos 8 and 30 of 1926 concerning workmen's compensation for accidents.

*Poland* : Bill concerning sickness and invalidity insurance, and insurance in case of the death of the support of the family (in preparation).

## J. *Recommendation concerning social insurance in agriculture (1921).*

### *Communications to the Secretary-General of the League of Nations.*

*Belgium* : Recommendation approved by the Government; agriculturalists can benefit under the Act of 23 June 1894 concerning benefit societies, and are required to comply with the Act of 24 December 1903 concerning compensation for accidents if they habitually employ at least three workers (2 March 1927).

*Estonia* : Out of the systems of insurance enumerated in the Recommendation only sickness insurance exists in Estonia, and the scope of it is confined to industrial undertakings. A Bill to extend sickness insurance to all wage-earners including agricultural workers was introduced in 1924 in the State Assembly (15 May 1926).

*Germany* : Recommendation approved by the Government. Under § 165, sub-section 1 (1) and also §§ 416 and following of the Insurance Code, workers, journeymen, apprentices and servants employed in agriculture, regardless of the total of their annual wage, are compulsorily insured in Germany against sickness, and assimilated in the main points to industrial workers. Similarly, under § 1226, sub-section 1 (1) of the Insurance Code, agricultural workers are compulsorily insured against invalidity and old age. The invalidity insurance includes insurance for surviving dependants (9 August 1926).

*Japan* : The Government informed the Office in 1923 that as social insurance legislation was first to apply to industrial workers, appropriate steps would be taken in agriculture only when this legislation had been firmly established in industry (4 August 1926).

*Norway* : A report submitted to the Storting in 1923 stated that the Recommendation was already carried out as regards sickness insurance. Application as regards invalidity, old age and unemployment insurance would be considered later (1 December 1926).

187. — As was stated at the beginning of this section, there are numerous proofs of a real reawakening of interest in agricultural questions.

Reference must first be made to the efforts of agricultural workers to strengthen their organisation.

In the report on *The Organisation and Representation of Agricultural Workers*, now published as a Study and Report, and circulated to members of the present Session of the Conference, the history and present state of organisation of agricultural workers in the various countries is described. The history of such organisation is in certain cases comparatively recent. Attempts to organise agricultural workers during the nineteenth century were sometimes unsuccessful because of the legal difficulties which they had to encounter. After the war these organisations at first flourished considerably. Then came a crisis. In 1920 the International Landworkers' Federation (Social-Democratic) comprised over 2,000,000 members: to-day, only 365,000; while the International Federation of Christian Landworkers has to-day a membership of 96,000. These figures must not, however, be read as a sign of progressive decline; on the contrary, as was pointed out at meetings of the two organisations, both held in September 1926 — in the case of the International Federation of Landworkers, at Geneva — they show, when compared with previous years, that the lowest figure was touched some time ago and that both organisations have survived the crisis. The impression of the Office is that agricultural unions have gained in stability and in their capacity to handle the questions which confront them.

It is with special interest that the International Labour Office notes the beginnings of organisation among agricultural workers in China. During the course of the last two years, starting with a local organisation in Canton, the agricultural workers of China have so far organised themselves as to be able to hold a national congress, their first, in 1926. This congress was representative of 11 provinces.

The question of the legal right of agricultural workers to combine and associate is part of the general right of association and combination of all the workers of a country. At the Congress of the International Landworkers' Federation, already mentioned, a resolution was adopted which complained that agricultural workers did not always enjoy the practical advantages of the exercise of this right. The subject is one for discussion at the present Conference and reference may be made to the Report on the subject.

If agricultural workers did not join the general movement arising out of the Industrial Revolution, it is equally true that this movement to a great extent neglected the agricultural problem. Here too the beginning of a change is to be



noted. Some attention, at any rate, though still not enough, is being paid by the leading general organisations of workers, both national and international, to agriculture. Reference was made in last year's Report to the resolution of the International Socialist Congress at Marseilles, which demanded an important place on the agenda of the next Conference for agricultural questions, and also to the agricultural programme adopted by the Austrian Social-Democratic Party. This year attention may be drawn to the draft agricultural programme issued by the German Social Democratic Party in February, and in England to the Report on agricultural policy adopted by the General Council of the Trades Union Congress, the National Executive Committee of the Labour Party, and the Executive Committee of the Parliamentary Labour Party.

The position in Russia is as follows. According to the Soviet Agrarian Code of 1922 the employment of wage-earners in peasant undertakings was forbidden in principle. In the course of the change in agricultural conditions which ensued after the introduction of the new economic policy, this provision of the Code became a dead letter. During the past few years considerable change has been observed in the distribution of nationalised land worked by the peasants. Excessive sub-division of land into a large number of very small holdings unprovided with stock or machinery caused over-population in the country districts. Part of the peasant population was thus obliged to seek work outside of their own holdings. Meanwhile, the number of farms held by richer peasants possessing land and capital increased in greater proportions than the number of holdings worked solely by the members of a single family. To utilise the land and capital represented by these more fortunately situated peasant undertakings involves the employment of persons working for wages. The employment of wage-earners thus began to spread in country districts in a clandestine manner, so that the working conditions of these workers were not subject to any supervision. The Soviet Government was obliged to recognise the existence of the new conditions, and by decree of 18 April 1925 legalised the employment of wage-earners in peasant undertakings, as had previously been done in the case of large Soviet farms (State agricultural undertakings).

Agricultural and forest workers are organised in a union which represents them in the conclusion of collective agreements in joint committees or other conciliation bodies to which disputes are submitted. During the past two years the union has been very active in organising the workers and securing regulation of working conditions. The number of organised workers increased from 254,000 at

1 October 1922 to 922,000 at 1 April 1926. Meanwhile, there has been an increase in the number of wage-earning agricultural workers, who, according to certain information of the union, total 3 ½ millions. If this figure be considered as correct, the number of organised workers still represents only 26 per cent of the total number of agricultural workers.

188. — There is another question which attracts increasing attention on the part of agricultural workers, namely, the question of the distribution and tenure of land. This distribution of land vitally affects the organisation of persons engaged in agriculture, both agricultural workers and other persons. At the present time organised agricultural workers must face the question as to the position which, in their opinion, should be assigned to the smallholding and the smallholder. Popular programmes dealing with the distribution of land have always in fact led to a greater increase in the number of small holdings than would have come about by the natural influence of growing population and more intensive cultivation. Agrarian reform in eastern and central Europe in the post-war years has accelerated the formation of smallholdings, and even in other countries where there has been no agrarian reform properly so called fresh steps have been taken to promote "closer" settlement. In Germany the Federal Government in 1926 for the first time gave direct financial help to the closer settlement movement by granting support to the measures taken by the single States; it is intended to spend 250 million marks of Federal moneys for this purpose, distributed over the years 1926-1930.

The social importance of this movement is great. The possibility of becoming a smallholder certainly tends to keep the rural population in their country homes. The absolute necessity of co-operation between smallholders if they are to survive in the economic struggle with large-scale agriculture strengthens the co-operative movement and may be considered a moral factor of value to society in general. At any rate, the fact that smallholders have come into possession of their holdings through measures adopted by those legislative bodies which have hitherto mostly concerned themselves with the protection of industrial workers ought to sweep away the negative outlook towards social questions which is only too often found among country dwellers, and which has made social legislation for the rural worker so difficult.

It is obvious that in many directions the conditions of smallholders differ very much from those of the salaried workers. But there is one great resemblance which, in the eyes of the International Labour Office, counts for more than the differences, and that is the fact that the standard



of living of a smallholder is very often equal to, or only a little higher, sometimes even a little lower, than that of the wage-earning agricultural worker. In particular, he has no more financial resisting power against illness, accidents, old age, and invalidity than the agricultural worker, and if his holding becomes a failure the only way out, and a very natural way, is to become a wage-earning agricultural worker. The improvement of the conditions of work of the wage-earning worker on the land is closely linked up with the general standard of conditions under which a class economically so similar lives and works, if only because the members of such a class are tempted to undersell the labour of the worker who has only his employment contract on which to depend.

In several countries agricultural workers and smallholders have realised that they have common interests. In Austria, Czechoslovakia, Germany, Hungary and Poland, there are associations of smallholders in close collaboration with the workers' organisations; in some cases it will be found that at first the smallholders were organised within the landworkers' organisations. However, to-day the opinion is that two different organisations are more convenient in order that necessary day-to-day adjustments may be made.

Another point is the reconsolidation of holdings, i. e. the putting together of tiny parcels of land belonging to one holding, which for various reasons, principally historical, are scattered sometimes over a radius of several miles. The effect of reconsolidation or "restriping" is a more intensive cultivation and greater efficiency of labour, in some cases even a greater demand for labour. Attempts to settle this question date more than a hundred years back in European countries, but much still remains to be done. It is a sort of second stage of a modern agrarian reform policy. In France an Act was passed in 1918, the effect of which has, up to the present, been small. In Germany and some Swiss cantons recent legislation has also been promulgated. In Austria an amendment to an existing Act was passed in December 1926. In Czechoslovakia a Bill is announced. In Poland the question is receiving very great attention, and has been organically linked up with the carrying out of agrarian reform. Eastern countries are as concerned over this problem as are European countries, and in response to an enquiry from an Eastern country the International Labour Office has made a short survey of some European experience and supplied it to that country.

189. — Among the signs of increased attention manifested in agricultural problems reference must be made to the detailed and methodical enquiries undertaken on these problems in certain countries. Thus, the German Federal Department of Labour

arranged in the spring of 1926 a meeting between representatives of the principal associations of agricultural employers and workers in order to discuss questions concerning agricultural labour. The discussion, it is officially stated, made a useful contribution towards the improvement of relations between employers and workers. In this country a new enquiry into agriculture is also being carried out at the present moment under the terms of an Act of 15 April 1926. A committee was set up to enquire into questions of production and marketing in German industry, the second sub-committee of which deals with agriculture. The work of this sub-committee includes questions both of production and of labour.

In Poland an enquiry into cost of production will include agricultural problems.

In South Africa a Commission was set up to enquire into and report upon wages, etc. in the Union of South Africa and brought out its report on 29 January 1926. This report contains much information on agricultural wages and employment, especially on the position of the impoverished white share tenants or *bywoners*.

In India a Royal Commission was appointed on 20 January 1926 to examine and report upon present conditions of agriculture and rural economy in British India and to make recommendations for the improvement of agriculture and the promotion of the welfare of the Indian population. The Commission is still pursuing its investigations.

In Czechoslovakia the Academy of Agriculture, which has now been established for over a year, is undertaking an extensive enquiry into agricultural labour in Czechoslovakia, especially into labour supply and labour requirements, and into the precise causes for any existing scarcity of labour in the countryside. Special stress is laid on the need for very exact information on the housing problem.

In Italy an enquiry into agricultural production is announced and a special questionnaire on rural housing and rural social conditions is being circulated by the National Federation of Fascist Agricultural Corporations.

To these enquiries may be added the study of agrarian reform to be undertaken in the near future, and the world census of agriculture to be undertaken in 1930, by the International Institute of Agriculture. Both these investigations will comprise the labour question.

Finally, the following is a further proof of the renewed interest which producers and men of business as well as the workers are taking in agricultural problems. When the Preparatory Committee for the International Economic Conference met last year it immediately set up among its committees one on agriculture. This committee gave serious consideration to agricultural problems in order to deter-



mine which were the most acute and the most susceptible of solution, i.e. the most suitable for treatment by the Conference. Agricultural questions are on the agenda of the Conference. During the discussions in the Preparatory Committee the importance of agricultural questions, which at the outset did not seem so striking as that of financial, industrial and commercial questions, became increasingly evident from day to day and to-day it may be said that agriculture is in the forefront of the discussions, on the same footing as industry and commerce.

Thus there have been noted fresh efforts at organisation on the part of agricultural workers and owners of small holdings, increased interest in problems of distribution and ownership of land, large national enquiries instituted to clear up the agricultural situation in certain countries, special attention given to agricultural questions by the Preparatory Committee of the Economic Conference. All these events are indications of a reawakening of interest.

190.—The new movement is young but vigorous. The attitude of the Office towards it is and must be one of active sympathy. The Office has always understood, and secured acceptance of the idea, that it could not neglect a body of workers who, while more scattered and less organised than industrial workers, represent nevertheless a very large proportion of the workers of the world. Just as, in active collaboration with the International Institute of Agriculture, the Office has for several years been engaged in studying general problems, such as agricultural education and the relations between agricultural co-operatives and consumers' co-operatives, so also all the special problems, the new aspects of which have been referred to as symptoms of the changes taking place in agricultural life, have attracted the attention of the Office and have been studied by it. For example, the problem of the organisation of agricultural workers caused the adoption, in 1925, of the resolution of the Japanese workers' delegate, Mr. Suzuki, and led the Office to prepare the report which is before the present session. The question of the distribution of agricultural property and agrarian reform has been treated from the labour point of view in various articles in the *International Labour Review* and the Office has suggested certain questions particularly affecting workers which it considers should be included in the scope of the proposed enquiry on agrarian reform contemplated by the Institute at Rome. Finally, the Office submitted to the Preparatory Committee for the Economic Conference the report previously mentioned on the relation of labour costs to the total cost of agricultural production. This report has been

considerably improved and developed since the last session of the Committee and has been printed for submission to the Conference itself.

The various Conventions and Recommendations concerning agricultural workers voted by the Conference since 1919 indicate the interest which the latter has always taken in agricultural labour. The results accruing from the application of these Conventions and Recommendations are presented in the table at the beginning of this chapter. Consultation of this table will show that the positive results which have been achieved are not negligible. It will show also that gaps still exist, indicating that in certain States much still remains to be done. The information given in the table may be supplemented by the following indications.

At their last meeting, referred to in an earlier part of this section, the agricultural workers claimed the same protective legislation for women, children, and young persons in agriculture as exists in industry, and the carrying into effect of the Conventions and Recommendations adopted by the 3rd International Labour Conference on these subjects. On 30 November 1926 a question was asked in the British House of Commons with reference to a proposed Order by the Kincardineshire Education Authority permitting children of ten years of age to be employed in seasonal farm work. An existing bye-law permits such employment at the age of 12 years. The Secretary for Scotland had intimated that he would be prepared to sanction the new bye-law provided that no serious body of objection to it was revealed. In the result the proposal was dropped on account of the many objections raised. Still, this shows that child labour in agriculture may still be the subject of controversy. In other countries it is not even seasonal, but all-the-year-round work.

In general, the quite reasonable demands of the agricultural workers to obtain the same social protection as industrial workers have long enjoyed must continue to engage the attention of the International Labour Office. In this connection it should be mentioned that the Swedish Rikstag on 15 May 1926 abolished the Act of 1833 defining the relations between master and servant, thereby acceding to one of the most insistent demands of organised agricultural workers in Sweden. Agricultural labour is now placed in exactly the same position as its fellow workers in industry with regard to its legal rights.

Slowly and unevenly but nevertheless surely progress is being made in the adoption of legislation protecting the lives and interests of agricultural workers. Does this mean that all spheres in which protection is required have already been considered, if not fully dealt with? To reply to this question, examination will be made of the present position, so far



as agriculture is concerned, with regard to essential problems affecting the lives of the workers, such as wages, hours of work and collective agreements.

At the last congress of the International Federation of Landworkers a long discussion took place on the question of a legally-fixed minimum wage in agriculture. Reference was made to the item on the agenda of the present Conference concerning the question of minimum wage machinery in certain industries and to the possibility of classifying agriculture with the industries so named. The alleged tendency, where minimum wages are fixed either through the administrative authorities or through collective agreements, for such minimum rates to become the normal rates caused so much hesitation among the members of the Congress that instead of adopting the proposed resolution the question was handed over to the executive committee for further study.

The length of the working day in agriculture is very different from country to country, but for a considerable number of countries the total number of working hours during a year is practically the same. The cases where hours of work are regulated through collective agreements or legislation seem, at a first glance, numerous, but on closer examination it will be found that the working day is fixed with so varying a length during the year that the regulation is not much more than a substantiation of the changes in working hours caused by natural conditions. Nevertheless, the working of the English Act on the regulation of wages, which has incidentally entailed a regulation and a shortening of hours of work, shows that such regulation and restriction of hours in agriculture is a practical proposition, within certain limits and under certain conditions, and if backed by a considerable system of inspection and courage on the part of the authorities to enforce the law. In Italy, an Act issued in June 1926, making nine hours the regulation day instead of 8 hours, applied also to agriculture<sup>1</sup>. A resolution passed at the above mentioned congress of agricultural workers demanding that workers in agriculture, forestry, and gardening should have the same rights to legal protection as workers in industry, mentions specially the question of hours of work and asks the Governing Body of the International Labour Office to place upon the agenda of the next International Labour Conference the question of working hours in agriculture. In view of this resolution it was suggested to the Mixed Advisory Committee that the International Labour Office should immediately undertake a preliminary enquiry into working hours upon the land, bringing up to date and extending the information

obtained from responsible organisations of employers and employed as to the hours normally worked in agriculture. The Committee agreed, and it was understood that the International Labour Office and the International Institute of Agriculture in Rome should exchange such information on these questions as they obtained, the representatives of the Institute having emphasised that, though the question from the point of view of labour no doubt interested the International Labour Office, from the point of view of production it obviously had a decided interest for the International Institute of Agriculture.

The workers themselves cannot take their fair share in the regulation of wages, hours, etc. unless they act as a body, which brings up again the problem of workers' organisation. The fruit of a good organisation is a system of collective bargaining.

The Office has begun a survey of collective bargaining in agriculture by the publication of a study on *Collective Agreements in Italian Agriculture*. Only in Denmark and Germany do agreements comprise all organised agricultural workers, and in both these countries the conditions laid down in a collective agreement are very commonly the basis for employment contracts for unorganised employees and unorganised workers. In England local minimum wages are fixed under an Act of 1924; in Poland by collective agreements made compulsory by the public authorities. In Czechoslovakia advisory councils consisting of employers and workers, under the auspices of the Ministry of Agriculture, lay down "guiding principles" on agricultural labour employment, which *inter alia* apply to wages. An important step was taken in 1926 in New South Wales, which has now followed the example of Queensland and extended its industrial arbitration legislation, which includes a wage-fixing system, to cover agricultural workers. In Russia, by the Decree of 18 April 1925 working conditions of agricultural workers are fixed by collective agreement. The provisions governing the contract of employment, the employment of women and children, sickness insurance, disputes, etc., are based on the same principles as the provisions concerning the conditions of workers in general. The most important exception is in the case of hours of work, which may under certain circumstances exceed eight per day, after agreement between the parties.

191. — The rapid review which has been made of the essential problems of labour conditions as they at present arise in agriculture will suffice to indicate the amount which remains to be done and the task which awaits the agricultural organisations whose encouraging progress was noted at the beginning of this chapter. It is however obvious that social progress

<sup>1</sup> This statement should be read subject to the observations on the limited effect of the Act given under *Hours of work*, page 103, last paragraph.



in agriculture will not be the work merely of organisations set up for the purpose. It will depend partly on the economic conditions of the agricultural industry itself: everything done to improve economic conditions may doubtless result in an improvement in social conditions. Amongst the best means of improving economic conditions in agriculture account must be taken of the progress made in the application of science to agriculture. Loss of energy entailed by out of date methods and inefficient management may eliminate all possibility of raising the standard of living of the worker. It is natural, therefore, that the International Labour Office should not neglect such questions as the relation of the labour costs to the total costs of agricultural production, on which a report has been prepared for the International Economic Conference, and the science of farm labour, on which an article has been published in the *International Labour Review*.

Since 1919 a movement has rapidly grown in Germany to apply the principles of the Taylor system and the principles of scientific management to agriculture. The question was discussed at the General Assembly of the International Institute of Agriculture at Rome in May 1926, and it is on the agenda of the next International Congress which is to take place in May of this year. In Germany the new science has become known under the name of the "Science of Farm Labour". The high percentage of labour cost of the total costs of production in agriculture, frequently 40 per cent. or even more, as appears from the other study of the Office already referred to, shows that even minor improvements in this field may be of the greatest importance to agriculture and may therefore affect both employers and employed.

The International Labour Office has undertaken the study of the science of farm labour with the intention of familiarising agricultural circles throughout the world with the new ideas. The Office has refrained from entering into any discussion of the repercussions on the social side of the agricultural labour question. Such a discussion would certainly be premature, but there seems to be no reason to doubt that once the new science is established its effect on agricultural questions coming within the competence of the Office will be very considerable. Working conditions will very probably approach those in industry and become more uniform and stable. A change of such a kind ought to facilitate both the national and international regulation of those conditions.

#### *Conditions of labour in colonies, etc.*

192. — The plan adopted in the treatment of this subject has hitherto been based strictly, probably too strictly, on the constitutional position of the various

colonies and other not fully self-governing areas in regard to the Organisation.

That plan, it was found, involved inevitably a certain amount of repetition, and it did not lend itself well to an examination of the general problems of labour conditions in these areas, which, though they differ very greatly in detail, present at the same time certain common features. With the object, then, of avoiding repetition as far as possible and of attempting a clearer synthesis of the situation the plan adopted this year is different from that hitherto followed in the Reports to the Conference.

There are in fact two groups of questions to be examined. The first of these centres around Article 421 of the Treaty under which Members of the Organisation "engage to apply Conventions which they have ratified... to their colonies, protectorates and possessions which are not fully self-governing", subject to their applicability to these areas, or to the modifications which may be found necessary for their application.

In the following sections of the Report this side of colonial labour questions is first treated. But it is obvious that to approach colonial, and particularly native, labour questions solely from the standpoint of the International Labour Conventions would be to limit the Organisation's work to factors of native employment which are under present circumstances less vital to the welfare of native populations. Article 421 is undoubtedly of value in territories where the economic organisation is developing rapidly towards conditions comparable with those in the West. It is of smaller immediate value in lands where much more primitive conditions promise to prevail for generations to come. The problems in such territories are not the general problems of the twentieth century. They relate to the suppression of slavery, to the progress from a servile organisation and a slave mentality towards wage-earning labour or independent production, to forced labour and its incidence, to contract labour and penal sanctions, to the health problems which arise from changes in a native's climatic and food conditions brought about by employment. While such problems remain untreated, the essential preliminary to a consideration of the applicability of the general body of International Labour Conventions is lacking. Consideration of them, in the present Report, follows upon the sections dealing with the application of Article 421.

#### *A. — The Application of Ratified Conventions to Colonies, Protectorates and Possessions.*

193. — The framers of the above-mentioned Article 421 of the Treaty, in deciding that colonies should benefit as far as may be possible from the decisions of the



Conference, undoubtedly had in mind the somewhat disastrous history of some of these areas, where the imposition of a modern system of labour without the safeguards which civilised States have learned to be necessary has led to unfortunate effects. In a population unable to voice its grievances, the ills which have usually accompanied industrial development even in highly advanced States tend to be intensified; the exploitation of subject peoples is subject to less restraint and has frequently been exceedingly cruel; the workers are unaware of the value of legislation on labour conditions, and, if they were aware of it, have little or no opportunity of influencing their Governments. Remedial legislative measures tend therefore to lag, and to be put into force only when the need for them has become clamant, that is to say, after great suffering which might have been, and probably would have been, avoided if the working population had been at once informed and in a position to voice their demands.

Difficulties of a similar nature arise of course in the international field. The parties most interested in the application to colonies of the decisions adopted by the Conference are the workers themselves, who, up to the present, have not been represented. It would appear however that in certain cases, where industrial organisation has developed to some extent, the desire to seek representation at the Conference has been awakened. The Office has been informed that this is the case with an organisation of native workers in South Africa. The British Commonwealth Labour Conference suggested in 1925 that in suitable cases native advisers should be chosen to accompany the workers' delegations. It will be recalled also that at the 8th Session of the Conference the South African Government Delegate drew attention to the problem, saying that he did not "suppose that this Conference could ever take to itself the position that it represents the whole world while it ignores, or appears to ignore, countless millions of the great continent of Africa", and that this was a position time would have to remedy. Evidently it will be for the Governments, the employers and the workers to examine what steps can be taken. Nevertheless, it can undoubtedly be stated that it would be well if time found some remedy before the Conference is called upon to deal with native labour problems in the form of Draft Conventions or Recommendations. It seems clear that the decisions of the Conference would lack the moral authority they have so far been able to claim if in its body were not represented not only experts on native labour problems but also those who can claim to speak in the name of the natives themselves.

The Conference has manifested its interest in the conditions of labour in the colonies by inserting the provisions of

Article 421 in the text of all the Conventions it has so far adopted. It has thus in a sense made these provisions its own, and this action has had an important advantage. For States which ratify Conventions undertake also to report annually upon their application, and the inclusion of Article 421 in the text of the Conventions implies that the States shall report also upon the measures they have taken in regard to the application of the ratified Conventions to their colonies. The Conference has thus been able to see, in the analyses of the reports communicated under Article 408 which are annually presented to it, how far its decisions have been useful in colonial conditions. The information supplied during the present year will be found summarised in the appropriate section of the present Report, where it will be seen that Belgium, Great Britain and the Netherlands have taken action during 1926 in regard to the application to some of their colonies of certain Conventions which they have ratified.

A general view of the whole of the results so far obtained by this application of Article 421 bears out, however, what might have been expected *a priori*. The bulk of the decisions of the Conference have so far had reference more particularly to more advanced industrial conditions than those obtaining in the colonies, and, though some of the more general amongst them have been applied *in toto* in certain colonies, and others have been found capable of partial application, it cannot be said that the action taken under Article 421 has been particularly gratifying.

But, since the Conventions do not cover all phases of the regulation of labour conditions and since not all of them have been ratified by the colonial powers, it must not be taken that these somewhat meagre results obtained under Article 421 represent in any way the general movement of labour legislation in the colonies. In point of fact, as the following sections will show, there has been in recent years, and particularly during the past twelve months or so, a very marked development in many areas, so marked as to be an important indication of the increasing extent to which colonial administrators are realising the duties imposed upon them by economic progress and by consideration of the welfare of the peoples under their charge. The more important features of this movement which have been brought to the attention of the Office, whether by the reports under Article 408 or by other means, are noted in the succeeding sections. Adhering to the distinction which is postulated in the first paragraph of this part of the Report, such legislation as treats of the more primitive conditions of labour, and particularly the various forms of forced labour and those which still retain servile



or semi-servile elements, is reserved for later discussion.

In the *Belgian Congo* the administration has in recent years been mainly preoccupied by the question of the labour supply. To study this difficult problem a committee was appointed, which began its work on 4 December 1924 and submitted its report on 17 March 1925. The conclusions were widely discussed in the press and led to important discussions during the second Belgian Colonial Congress held in Brussels on 6 and 7 February 1926. From these discussions emerged the fundamental general question whether, in a desire to secure the economic development of a native population and the social progress dependent thereon, an administration might not possibly be tempted to advance with speed greater than that justified by the physical and mental capacities of its subjects and thus to provoke evils which might endanger the very objects before the administration.

Shortly after the Colonial Congress the Government forbade the direct intervention of officials in the recruitment of labour except for public works. This decision gave rise to much discussion in certain Belgian papers and to some misunderstanding, as a result of which the Administrator-General of the Colonies considered it advisable to publish a letter delimiting and defining the functions of the territorial officials in the matter of recruitment. He states therein that the Government has noted that in many districts its territorial officials were too often induced in the interests of private undertakings to assume functions which would normally belong to the agents of such undertakings. The duties of officials in the matter of recruitment, however, consisted not in action but in advice and control. They cannot *directly* recruit workers for private undertakings or co-operate *directly* in recruiting carried out by private recruiting agents. It was not, however, the intention of the Government to prevent "territorial officials from lending effective assistance by means of explaining the labour code to the natives, informing them of the advantages which they may obtain from the hiring of their labour to European undertakings and combating the fears which they show of engaging themselves".

The letter urges the necessity of a cautious policy during periods of transition. But the Government is nevertheless anxious that the transitional period should be as short as possible and that with this end in view the undertakings should consider and endeavour to eliminate the various reasons which may induce the natives not to accept employment. Their attention should specially be drawn to the questions of accommodation, food supply and moral and general comfort, and they

should only gradually compel newly engaged natives completely to observe European conceptions of hours and labour conditions.

In the territory of *Ruanda-Urundi*, under Belgian mandate, the few undertakings which require large numbers of workers engage daily local labour. A plentiful labour supply is obtainable, except in certain districts, but it can be foreseen that labour for the important centres will in the future have to be obtained other than locally, and the Government is considering the extension to the mandated territory of the Belgian Congo of legislation of concerning such matters as recruitment of labour, labour locations, and measures for safeguarding the health of workers.

A voluntary seasonal migration of native workers to Uganda has been growing in volume in the last year or two, but their conditions of labour in the employment of native planters were found to be insanitary and this, added to the tendency on the part of the workers to underfeed in order to increase their savings, reduced them to an unfit physical condition and resulted in a high death rate. The administration is considering legislation on emigration which will make possible the establishment of health and police control.

The 1925 report on the administration of this territory also alludes to what may be the beginning of another migratory movement of labour. During 1925 an experiment was made in recruitment of labour from the hill population of *Ruanda-Urundi* for work in the mines of Upper Katanga in the Belgian Congo. The experimental recruitment of about 200 persons was permitted under very strict conditions and was found to be successful, and the Administration is now contemplating legislation which will enforce the conditions thus tested in all cases of the recruitment of workers for employment outside *Ruanda-Urundi*.

In the *British East African Dependencies* an important step has been taken to secure uniformity of policy on labour matters wherever such uniformity is possible.

A conference of Governors of these dependencies met at Nairobi on 26 January to 11 February 1926. It was attended by the Governors of *Kenya*, *Northern Rhodesia*, *Nyasaland*, *Uganda* and *Tanganyika Territory*, the British Resident for *Zanzibar* and the Civil Secretary to the *Sudan* Government.

Among the items on the agenda of the 1926 conference was "Land and Labour Policy", the two subjects, in the words of the chairman, "going hand in hand in many respects". There was general agreement in the conference that a definite policy was essential, and eventually a memorandum was drawn up and accepted



as the basis for such policy in the East African Dependencies.

The memorandum begins by discussing the difference between East and West Africa and the reasons why the former is already committed to a dual policy of non-native and native production. This dual policy, however, raises considerable problems in regard to the two factors of land and labour. To solve those relating to labour, the conference considered that the following principles should be accepted :

1. The ideal in view should be to enable land to be put to the best possible economical use, while also providing for the steady progress and welfare of its native inhabitants and safeguarding them against serfdom in any form whatever.

2. Steady progress cannot be secured in some areas unless every able-bodied individual who shows no tendency to work is given to understand that the Government expects him to do a reasonable amount of work either in production in his own reserve or in labour for wages outside it.

3. In areas where the first alternative is not within his reach, the native should be definitely encouraged to go out to labour, but where both alternatives are open, the Government is not concerned to impose either upon him.

4. It is essential that the native should be instructed to grow sufficient foodstuffs for his own livelihood.

5. It is desirable that the process of production should be regulated so as to secure the most efficient methods and the highest possible standard.

6. In areas open to settlement, the Government should encourage the growth of those crops for which the least labour is required and where necessary should regulate the growth of those which make heavy demands on labour for a short period of the year.

7. The native will always be free to choose whether he develop his land himself or bring in the aid of European knowledge and skill to develop it. There is no reason why the Government should limit his freedom of choice, provided that fair terms are secured for the natives.

Of these East African areas, *Tanganyika* is under mandate. Here the outstanding event of the past year was the publication of a report upon labour by Major G. St. J. Orde Browne, who had been appointed in 1925 to "investigate labour conditions on plantations and in recruiting districts, to consult the several planters' associations as to their needs and difficulties and generally to collect information and submit recommendations which may serve as a basis for consideration of the permanent appointment of a Labour Commissioner, with the necessary staff, for the organisation and

better control of labour affairs generally". The report, with the covering despatch of the Governor, Sir Donald Cameron, is undoubtedly the most comprehensive and important document on native labour conditions which has appeared in recent years.

In this territory, with its population of nearly 4½ million natives, there appears to have been, since the cessation of general compulsion, a continuous shortage of the labour supply for plantation work. The report discloses a considerable wastage in the use of the labour available, and discusses means of making employment in the service of non-natives more attractive.

One prolific source of waste is, according to Major Orde Browne, "that deplorable relic of slave days, the porter system of transport". Porterage for Government loads alone, he states, accounted for 400,000 working days in 1924. The improvement of roads and the extension of motor transport are, however, rapidly reducing this burden.

The general conclusion of the report is that the situation need not be despaired of. Efforts should be made to render the labour available more efficient by the use of machinery and the practice of the graduated task, to introduce a better and more honest recruiting system, to facilitate the movement of workers, and in general to improve the workers' conditions when in employment. Payment strictly in cash, the extended provision of hospitals and medical comforts, a development of the existing workmen's compensation provisions, restrictions upon the employment of women and children, improvements in the law regulating the relations between master and servant and closer supervision of the feeding and housing of workers employed on plantations are among the many measures recommended by Major Orde Browne and endorsed by the Governor.

In *British West Africa*, the question of the system under which these territories shall be economically developed is, in native opinion, of paramount importance. Here the system of individual cultivation by the native has been for many years successfully adopted, though now the palm-oil industry of *Nigeria* and *Sierra Leone* has begun to feel the severe competition of the large-scale plantation systems in the Dutch East Indies and the Belgian Congo. Mr. Ormsby-Gore, the Under-Secretary of State for the Colonies, who made an official tour through British West Africa in 1926, has however stated his definite opinion that it should be possible to safeguard the industry without any fundamental change of policy, by the eradication of waste and the education of the native producers. It would not seem therefore that the present system of native production is really threatened.



In the individual territories of West Africa, the following points of interest have come to notice during the past year.

In the *British Cameroons* the most important undertakings are the large European plantations in the Cameroons Province, which were originally established by the Germans; and the outstanding event in 1925 was the return of these plantations to private ownership. From 1915 until 1925 these estates were administered by the Plantations Management, which, although a quasi-Government department, was afforded no special facilities in the matter of engagement of labour. Nevertheless, by providing good conditions, the Management secured an adequate supply of voluntary labour on daily oral contract. The new owners are reported to be proceeding on similar lines. They have combined to provide skilled medical service for the benefit of their European and native employees, although at present this consists of only one practitioner. The majority of the plantations have small hospitals with European or native dressers. The health of the labourers is reported to be good and the death rate low. Legal power to inspect labour conditions is given by regulation, and legislation is to be brought into force controlling the conditions under which labourers live and work.

It is interesting to note that the administration considers that by encouraging the native producer, a far greater development will be achieved than by restricting the African to the rôle of labourer and preserving to the European the profits of the produce trade, and that, in any case, European plantation enterprise cannot be carried further in the Cameroons Province as heavier demands for wage labour could probably not be met. Many natives have, moreover, learnt application and improved methods on the estates, and on return to their villages take up cocoa or other cultivation on their own account, with the result that there are now many peasant cultivators in the Cameroons Province.

In the *Gold Coast*, the conditions of labour in the mines, which had previously given rise to considerable concern owing to the high mortality and sickness rates which were found to prevail, have greatly improved during the last two years. An investigation into the sanitary conditions of the mines and mining villages was carried out, as the result of which an ordinance (19 of 1925) was passed which laid down provisions relating to the health and housing of natives employed in the mining industry. These were accompanied by the prohibition of recruitment of labour in certain areas. Information contained in the Colonial Annual Report for 1926 shows that a Medical Officer of Health has been appointed in the Western Province to supervise the sanitary conditions of the mining areas and that the mining

authorities are endeavouring to bring conditions to the required standard. During the year ended 31 March 1926 the total number of labourers employed in the gold mines was 13,000, while the total number of deaths amongst them, including those due to accident and old age, was 144.

The *British West Indies*, as is reflected in the British Government's reports relative to Article 421 of the Treaty of Versailles, form areas in which the preliminary problems of native labour are no longer to be found. It may therefore be said that the ground is now cleared there for the introduction of labour legislation of an advanced type, and that the important events which now occur are connected with the possibility of introducing such legislation.

In 1926, the most significant action was the enactment in *Trinidad and Tobago* of an Ordinance providing on familiar British lines for the payment of compensation to workmen for injuries suffered in the course of their employment.

A *Barbados* Act which came into force on 1 January 1926 provides for a weekly half-holiday (in addition to Sunday) for shop-assistants.

In *Jamaica* an Act was passed on 16 June 1925 which consolidated and amended the law relating to shop-assistants. This legislation prescribes the hours for which clerks may be engaged at work during the week, the hours for shop-closing, requires sitting accommodation to be provided for shop-assistants, and fixes hours of employment for young persons.

It is also of interest to note that under the Midwives Ordinance passed in *Grenada* in 1926, the Governor in Council is empowered to make rules for the attendance by Government midwives on women labourers or wives of labourers.

Finally, a *Leeward Islands* federal measure, the Elementary Education Consolidation Act of 1925, contains provisions with regard to the employment of children. These prohibit their employment under nine years of age, define the duties of employers and regulate the school-attendance of children in employment.

In *Ceylon*, where, at the end of 1925, 661,483 Indian labourers were employed on estates and Government works, an agreement has been reached, after prolonged negotiation between the Governments of Ceylon and India, on the establishment of a standard wage for Indian labourers in the colony.

The committee appointed by the Ceylon Government to enquire into the matter accepted the principle of a standard wage, and, assuming that an adult male or female labourer worked for 24 days and a working child for 20 days a month, suggested payment in low country, middle country, and up country respectively of the following wages :



For men . . . . 50, 52 and 54 cents.  
 For women . . . 40, 41 and 43 cents.  
 For working children . . . . 30, 31 and 32 cents.

As a result of representations made by the Government of India, a further concession for non-working dependants was also secured in the issue of one-eighth of a bushel of rice free every month to each working man and the same quantity of rice to each widow and non-working child.

The Government of India has accepted these proposals subject to the understanding that no revision in the standard wage would take place until after six months' notification of such proposal, during which period the two Governments could negotiate. The new arrangement was expected to take effect as from 1 January 1927.

For the first time information is available concerning labour conditions in *Iraq*, under British mandate. In 1925 the chief employers of labour were the Government, as administrator of the railways, and the oil companies. The Government employs some nine thousand railway and port workers, whilst the Anglo-Persian Oil Company and the Turkish Petroleum Company employ some eleven hundred and fifteen hundred respectively. Apart from these undertakings, the British Cotton-Growing Association employs 150 persons, 25 of whom are women and girls, and the Iraqi Spinning Plant in Bagdad employs 65 persons.

The working hours on the railways and in the port are 48 weekly, overtime being paid at  $1\frac{1}{2}$  times normal rates. The oil companies have a 54 hour week for labourers, and 48 for drillers and artisans, overtime being again paid at  $1\frac{1}{2}$  times ordinary rates. The two other companies mentioned maintain the 48-hour week. In all cases the weekly rest day is observed.

With the exception of these, there is said to be little organised industry in *Iraq*. Local industries, such as tanning and weaving, are hereditary and are carried on in the dwellings of the workers.

In *Palestine*, which is under British mandate, labour legislation is as yet in its infancy, though, as will be seen, a commencement has been made during the past twelve months. The differences between Jews and Arabs cause great difficulties on all labour questions. The Arab population is accustomed to primitive conditions and, generally speaking, an Arab working for an employer of his own race receives a wage much inferior to that given to a Jew by a Jewish employer. Measures for the institution of uniform conditions of labour would probably be helpful in improving the relations between the two elements of the population, and it may be hoped that the common interests of the two parties, particularly in the matter of conditions

of labour, will prove a powerful factor in effecting the reconciliation and co-operation of Jews and Arabs. In this connection mention may be made of a programme published in December 1926 by the *Achduth Avodah*, one of the most important labour organisation in *Palestine*, which declares that the General Confederation of Jewish Workers should encourage common action by Jewish and Arab workers.

The Government has recently published two Ordinances dealing with labour questions. An Ordinance of 16 January 1927 prescribes that the employer shall pay an indemnity to any worker who is injured in the course of his labour, or to his dependants. A further Ordinance, also dated 16 January 1927, prescribes penalties for persons who commit acts of intimidation in the course of an industrial dispute. It should further be noted that on 10 December 1926, in the course of the discussion on a Bill authorising the Government to guarantee certain loans for *Palestine* and other territories, the House of Commons adopted an amendment requiring that the Secretary of State for the Colonies should "satisfy himself that fair conditions of labour are observed in the execution of all works carried out under any loan raised in pursuance of this Act".

Unemployment has increased continuously since the middle of 1923, and in 1926 assumed rather alarming proportions, the number of unemployed workers being 300 in July 1925 and 6,200 in June 1926. Since that date, however, it has slightly decreased. The economic crisis in the towns has resulted in a movement of town workers into the country. Unemployed workers remaining in the towns have been engaged on public works which have been started in the centres where unemployment is prevalent. The organised workers themselves have endeavoured to remedy the situation, and the resources afforded by their contributions are used in order to establish undertakings in which unemployed persons can be placed.

In spite of the prevailing difficulties, the *Palestine* labour organisations have continued to be active and to carry out experiments which make the country an excellent observation field. The General Confederation of Jewish Workers has set up various technical branches and social service institutions. These are run on a mutual aid basis, and provide for accident insurance and sickness insurance. Generally speaking it may be said that the conditions of life and labour of Jewish workers tend to approximate to those prevailing in the west in such matters as standards of living, average pay, and the length of working hours.

The conditions of Jewish children employed in industry seem however to be bad in some cases and to require regulation. In many undertakings the working hours of children are very long, and often even longer than those of adult workers. The



wages received by these juvenile workers seem to be very low, and the sanitary conditions of the workplaces often leave much to be desired.

Measures have been taken to apply legislation concerning liability for industrial accidents to certain *French Colonies*. The French Act of 15 December 1922, the purpose of which was to extend accident insurance legislation to agricultural undertakings, provided that the conditions for the application of the Act to the four colonies of *Martinique, Guadeloupe, Réunion* and *Guiana*, should be laid down in public administrative regulations. The Act also provided that in the first place the conditions for the application to these colonies of the Act of 9 April 1898 and of subsequent Acts concerning liability for industrial accidents should be regulated by similar administrative regulations. In execution of these provisions, two Decrees were promulgated on 19 July 1925 to come into force in Martinique, Guadeloupe and Réunion on 1 January 1927, a date of importance in the application of home legislation to the colonies where conditions are most advanced.

It should be added that the possibility of applying the legislation relating to industrial accidents is being studied in the case of other colonies such as the *French possessions in India, New Caledonia*, and *Indo-China*. In India a committee was formed at Pondicherry at the beginning of 1926 to lay down the means for the application of this legislation. In New Caledonia the same problem has been studied by the local elected assemblies, and by the administration. In the case of Indo-China, the Governor-General has stated that it is not possible to apply this legislation immediately, but that for the moment provision would be made in the budget for grants to the victims of industrial accidents.

A Decree of 20 October 1926 regulates conditions of work in dangerous and unhealthy undertakings in *French West Africa*. The purpose of this Decree was to unify the French laws on this subject in French West Africa. Only a limited number of changes and simplifications were introduced, such as were necessitated by the altered system of administration set up.

The development of commerce and industry in the French Protectorate of *Morocco* has brought to the front the desirability of taking initial steps towards the legal protection of manual workers and salaried employees. With this object in view a Decree (*Dahir*) has been issued by the resident Commissioner-General, dated 13 July 1926. The following are the main provisions:

Children may not be admitted into employment in any factory, workshop, workyard, undertaking, shop, etc., before the age of 12 years. Young persons under

16 years of age and women may not be employed for more than 10 hours a day, with one or more breaks, the total duration of which may not be less than one hour. Young persons under 16 years of age and women may not be employed on any night work, i.e. work between 9 p.m. and 5 a.m. The nightly rest period of young girls and women must be at least 11 consecutive hours. Women may not be employed on underground work in mines and quarries. The cessation of work by a woman for 8 consecutive weeks in the period preceding and following confinement may not be a ground for cancellation of her contract by the employer.

Health and safety measures are prescribed for all undertakings. Their enforcement is entrusted to factory inspectors. In particular, the use of white lead or lead sulphate and white phosphorus is forbidden.

Other provisions of the Decree prescribe the posting of its text in the workshops, fines in case of breach and the creation of an advisory labour committee instructed to study questions and proposals affecting workers and employees.

A second Decree (*Dahir*) promulgated on the same date orders the payment of wages in legal currency, forbids the effecting of such payments on the premises of drinking houses and shops and defines the period of payment as every fortnight in the case of manual workers and every month in the case of employees.

These laws have been amplified by three vizirial Orders dated 25 December 1926. The first deals with the general measures relating to health and safety applicable to all industrial and commercial undertakings. The second Order details the loads which may be carried, drawn or propelled by young persons and women. The third Order sets up two labour inspectorates, one with headquarters at Rabat and the other with headquarters at Casablanca.

In *Syria and the Lebanon*, under French Mandate, the patriarchal organisation of society, the indifference of the former Ottoman Administration with regard to all social questions and the absence of large scale industries account for the almost total lack of regulations concerning labour conditions in these territories. With the exception of the Lebanon silk mills and a few workshops in Damascus, there are neither large workshops nor factories in the Mandated Territory. Small local industries employ only a restricted number of workers. Children are seldom employed before the age of 12 years; they are then looked upon as assistants and are paid at half rates. The working day begins at sunrise and ends one hour before sunset, with a break of two hours in the middle of the day. The working week consists of six



days. Skilled workers generally hire themselves out by a verbal contract, a written contract being extremely rare.

In connection with the possibility of regulating labour conditions, the 1925 report states that a commission has been appointed to consider the basic principles of a labour code for Syria and the Lebanon. The method adopted will be probably that of enacting legislation on particular questions, such as health conditions of workers, emigration and the protection of women and children rather than the promulgation of a comprehensive code. Measures have already been adopted to improve conditions of agricultural workers. The heaviest and most unpopular tax, namely the tithe, which is raised on harvested crops, has been reduced, and the Administration is at present considering the completion of this reform by substituting for the tithe a tax which is more within the means of the cultivator. The Mandatory Power is endeavouring to establish a system of rural smallholdings, and to provide peasants with means to cultivate their land by a system of agricultural credits.

Side by side with these reforms, improvements have been made in labour conditions. Pending the enactment of the legislative measures which are proposed, the Administration is taking steps for the protection of agricultural workers against black water fever and undertaking a campaign against disease, and in particular against infant mortality, by the establishment of travelling medical missions. Consideration is also being given to the conditions of emigrants.

### *B. Native Labour.*

194. — It has already been stated that to approach native labour questions solely from the standpoint of the International Labour Conventions so far ratified, i.e. in application of Article 421, would be to limit the Organisation's work to the less vital factors of the life of native workers. The Office has never been blind to this fact, the realisation of which was clearly reflected in the decisions of the Governing Body taken during 1926.

It will be remembered that in July 1922 the Governing Body specially considered the need for collecting and making available information on native labour questions and entrusted this task to the Diplomatic Division of the Office. The work has been continuously pursued, and has been specially valuable to the Office in connection with its representation on the Permanent Mandates Commission and the Temporary Slavery Commission of the League of Nations. To both these Commissions the Office has been able from time to time to supply information not otherwise available, and to lend other material assistance in their work. The results of the work have been noted

in the Annual Reports to the Conference, as well as in the regular publications of the Office, and a considerable amount of information has been made available to the States Members of the Organisation and to the general public. It has been a task of inevitably increasing importance, and an addition to the staff employed upon it became inevitable when the 8th Session of the Conference adopted a Resolution virtually insisting upon an extension of the enquiry into conditions of labour in Asia, already decided upon by the previous Session of the Conference, to cover conditions of native labour in general throughout the world. A reconstruction of the Diplomatic Division, as has been elsewhere indicated, has created the possibility of devoting the services of an increased staff to this and cognate questions.

During the period which has elapsed since this work was begun public opinion has manifested more and more interest in the question of the treatment of native races and, in particular, the utilisation of their labour. In the first place, the idea that the troubled years of the war had permitted a recrudescence of the slave trade inspired the decision of the Assembly of the League to create the Temporary Slavery Commission; it was an expression of the general feeling that the slave trade and slavery could not be permitted to continue in the post-war world, and that an effort must be made to clear out their last vestiges. That effort expressed itself finally in the adoption of the Slavery Convention.

But the discussions which took place in this connection, both in the various Commissions of the League and in the public press, were by no means confined to slavery pure and simple. From all quarters came the suggestion that the forms of labour which often follow upon the abolition of slavery proper are in fact no better from a humanitarian point of view, and may perhaps be more disastrous in their effects, than slavery itself. The abolition of *ownership*, it was pointed out, often involves the abolition of responsibility and interest in the welfare of the being formerly owned. Further, the European idea of what constitutes labour service is different from and sometimes more exacting than even the slave-owner's idea. The Slavery Convention reflects something of these opinions in the Article which provides that the conditions of forced labour shall not be allowed to become such as will produce a situation "analogous to slavery".

It has been made evident during the year that general public opinion in the more important colonial powers is awaking to the significance of the situation. The debate in the *British House of Commons* on the occasion of the discussion of a Bill providing for loans for certain



colonies and areas under mandate was rendered important by the "fair wages" clause which was introduced by the Secretary of State in order, as he stated, to meet the general desire of the House. It was important also as an indication of public interest in the Kenya situation, a speaker of the Labour Party proposing to deprive this colony of the benefits of the Bill on the ground that he was not satisfied with the treatment of native labour. The British Labour Party has recently published its policy with regard to Africa in a pamphlet (*Labour and the Empire. Africa*) in which, after the Right Hon. J. H. Thomas, ex-Secretary of State for the Colonies, has laid down that the "native must, as a worker, be a free man, and hence there must be no slavery, no forced labour, and no pressure upon him to work for settlers", the need is stressed for an international treatment of all native labour problems and for a frank recognition of the universality of the principle of trusteeship.

In *Holland*, again, the recent discussion of the colonial budget gave opportunity for the ventilation of an active public opinion; sanitary and educational measures for the amelioration of the lot of the native populations, and the very vexed question of penal sanctions in labour contracts were the principal matters brought forward.

Governmental and other interested circles in *France* appear to have been especially preoccupied during the past year with the questions of hygiene and depopulation. This latter phenomenon is remarked in many African areas, and is attributed by many authorities to the increasing contact with the white man, his diseases, his vices and his demands for labour.

Public interest in colonial affairs is always active in *Belgium*. The outstanding features of discussion and action during the past year have been again the question of depopulation and the consequent shortage of labour supply, and that of the recruiting of workers in the Congo, where the demand for labour becomes more and more insistent as the rich ore-fields and the vegetable oil areas are being developed and opened up.

The colonial question appears to have attracted considerable attention in *Italy* during the past year, but from a point of view different from that here treated. The Italian Anti-Slavery Society held its fourth Congress in December last, however, and severely criticised the Slavery Convention adopted in September by the Assembly of the League. In the view of the Society, the Convention does not prescribe effectively for the progressive abolition of slavery, and it is desirable that stronger provisions to this end should be inserted in it.

In *Portugal* a movement of opinion has manifested itself in favour on the one hand of increased protection of the natives against possible abuses on the part of administrative officials and, on the other hand, of measures for improving the physical development of the natives. In so far as the first point is concerned the Decree No. 12533 of 23 October last mentioned below reflects the preoccupations of the home Government.

It is not surprising, then, to find that the action taken by the Conference, the Governing Body and the Office in regard to native labour questions is regarded with great and increasing interest. International opinion on the subject was reflected in a resolution passed by the International Federation of League of Nations Societies at its Annual Congress held at Aberystwyth, Wales, from 23 June to 3 July 1926. The Congress expressed "its satisfaction that the Governing Body has decided to undertake an enquiry into conditions of native labour and that a committee of experts has been appointed to this effect. It hopes that the results of these studies will be the drawing up of Conventions for the protection of coloured labour".

In missionary circles, too, there is a growing realisation of the value and the possibilities of the Office's work in combating the economic evils of native life. Thus at an International Conference (Protestant) on the Christian Missions in Africa arranged by the International Missionary Council and held at Le Zoute, Belgium, in September 1926, a resolution was adopted especially welcoming the establishment of the committee of experts of the International Labour Office.

In Catholic missionary circles the same interest is being shown. At a Missionary Congress (*VI<sup>e</sup> Semaine de Missiologie*) held at Louvain in August 1926 and attended by more than 200 missionaries from Belgium, France, Poland, Germany, the Netherlands, Spain, United States, China and other countries, a representative of the Office was invited to explain the Office's work in regard to native labour, and the *Bulletin des Missions*, reporting the results of the Congress, stated that the work in hand was that of applying the principles of the encyclical *Rerum Novarum* to the natives — a work to which missionary experience could not feel indifferent.

All these preoccupations are doubtless repercussions of the fact that at no time in the history of the world has the economic penetration of "backward" areas proceeded with anything like the speed at which it is being pushed at present. Where formerly the pioneer of civilisation was the missionary, it is now apparently the case that the recruiting agent and the demand for the labour of the native precede him and his civilising



influence. A well-known authority on missionary affairs, returning from a long African voyage, is reported to have said in this connection that "we are living in a fool's paradise if we think that missionaries are to maintain their present influence in Africa. Missions are now, relatively speaking, at a standstill compared with the other influences — economic, political, governmental — which are changing the whole life of Africa".

The native is everywhere being called upon to aid in the task of world production, not always, it may perhaps be said, with all the wisdom which his initiation into modern industry calls for, and not always because of the real and urgent need of the present-day world for his assistance. Still less because of any need which he himself realises. But on the one hand the astounding success of certain experiments in native production, as in Nigeria and the Gold Coast Colony, with its consequent marked increase in the material and social well-being of the population, has encouraged similar attempts elsewhere. Cocoa, cotton, oils, sisal and other tropical or semi-tropical products are being studied and experimented with on a scale hitherto not thought of. On the other hand, artificial restrictions in the output of rubber under the "Stevenson" scheme have intensified its production in areas not affected by the arrangement, as for example in the Dutch East Indies and, more recently, in what has been called the "spectacular invasion" of Liberia by the Firestone Rubber Company of the United States, which proposes to invest sums, diversely reported in the press but apparently very large, in the planting and cultivation of rubber in that country. Again, improvements in tropical medicine and our knowledge of the hygiene necessary for the white man in the tropics are gradually extending the areas open to white settlement, and the white settler brings his own demand for native labour — often an insistent and very audible demand.

From all sides, then, the pressure comes to harness the native to the world's work, and it needs no demonstration to prove the necessity of action to provide that the conditions of that work should be just and reasonable.

If such demonstration were needed, it would be easy to find it in the increasing tendency to unrest manifested by certain native populations.

The outstanding case of this nature during 1926 is that of the Netherlands East Indies, where the year has been one of troubles. The serious strikes commencing in December of the previous year have been followed by sporadic movements which appear at times to have caused much anxiety. The press has attributed the unrest which manifested itself both in Java and Sumatra to communist activity, and it appears to be clear that the

"risings", which it is to be noted took place rather amongst the villagers than the inhabitants of the larger towns, were organised on plans reminiscent of the methods of modern communist agitation. But that much communism in the usually accepted sense was behind the movement seems doubtful. The Communist Party of the Netherlands Indies appears to be primarily a nationalist party expressing in a familiar communist way a *political* theory, that of nationalism, which may be in the future a very serious complicating factor in the administration not only of the Netherlands East Indies, but of other colonial areas.

But, in fact, a great effort is being made in almost all colonial areas to meet the rapidly changing circumstances. The principal problems affecting native labour, as the discussions of the Permanent Mandates Commission have clearly brought out, are those raised by vestiges of slavery, by the question of forced labour, by considerations of health and hygiene, and by the effects upon the individual and the community of the migration, forced or otherwise, of workers. The two latter, along with other problems, are bound up also with the question of indentured or long term contract labour. In this Report no attempt will be made to examine at length the extent and diversity of the questions raised. The various kinds of forced labour, legal and illegal, direct and indirect, for public purposes or for private employers, the evils which have been found to result from recourse to compulsion and its doubtful economic value: the sometimes disastrous effects of the transference of workers to areas where climatic conditions are not suitable for them: the difficulties, moral and social, involved in the system of long-term contracts — are all the subject of intensive study at the present time, and the results of this work will eventually be submitted to the Conference. For the present the Office limits itself to bringing to notice, in the following pages, the developments which have taken place during recent months in the areas where the problems of native labour arise.

195. *Vestiges of Slavery.* — Reference has been made elsewhere in this Report to the Draft Slavery Convention which was adopted by the 7th Assembly of the League of Nations last September. It may be of interest to give here a short account of the cases which have come to notice in the past year in which steps have been taken to suppress slavery in different countries or in which cases of its practice, hitherto unsuspected, have been discovered.

Rumours have been current during the past year concerning the existence of a form of slavery in *Bechuanaland*. These



were based on native reports concerning the relation of a subject tribe, the Marsarwa, to the Bamangwato. The latter treat the former as their servants, and provide them in return with food and clothes. The little evidence available would seem to show that the relation of these two tribes is the relic of one not uncommon in Africa, where strong races have often held a primitive tribe in subjection, while at the same time assuring them of protection from aggression.

In the *British Cameroons*, recent reports show that slavery and the slave trade are not yet entirely eradicated in the territory, although much progress has already been made in this direction. At the time of the occupation by the British forces, an active slave trade was found to be in existence, particularly in the northern Mohammedan areas. The administration took various measures to cope with the situation. In addition to the extension to the British Cameroons of the Criminal Code of Nigeria, which makes illegal all transactions in slaves, police posts have been established in suspected areas, Political Officers have been sent on tour and a close supervision of the routes formerly used for the slave trade maintained. The native administrations have helped energetically to carry out preventive measures and the British and French authorities maintain close co-operation on the frontier. The strict control exercised has resulted in a decrease in the number of criminal prosecutions for slave dealing and the trade has been reduced to small dimensions.

The slave trade, however, is an entirely different matter from domestic slavery, of which the roots are deepset in traditional practice. Its eradication is therefore a matter of time. The Slavery Abolition Ordinance of Nigeria, under which the legal status of slavery was abolished, has been extended to the British Cameroons, so that no British officer or court can deal with any person as other than free. It also follows that any person previously of servile status has only to assert freedom in order to attain it. Nevertheless, the native is often not content with the bare assertion, but deems it necessary to fulfil his obligations to his master and then apply for a certificate of freedom, which is granted by the native court. The latest report shows that there are now some 4,500 persons in the Dikwa Division who would in local native opinion be considered to be of servile status.

The efforts of the French authorities to abolish slavery, in mandated areas, the increasing intensity of administration in these areas, and the diffusion among the natives of the knowledge that the French Government does not recognise the status of slavery have resulted in the almost complete suppression of the last traces of the slave trade in the countries under French mandate.

According to the last report received, in the *French Cameroons* in 1925 there were only 26 condemnations with regard to slave dealing as against 54 in 1922. The accredited representative of the Mandatory Power informed the Commission that these were cases not of capture by violence but of sales to which the parents sometimes consented. In *French Togoland* slavery appears to have been completely suppressed. During 1925 the Courts pronounced no condemnation for slave dealing.

The Khan of *Kalat*, a State in Baluchistan, took measures during 1926 to release all slaves in his dominions. With some little difficulty he secured the approval of the tribal chiefs, and was able on 4 November last to abolish by proclamation all property in slaves, who, if they remain with their former owners, are to receive wages. Considerable interest was aroused during the year 1925 by the decision taken in the Kingdom of *Nepal* to abolish domestic slavery which prevailed in the mountainous districts. Registration figures showed that there were 15,719 owners and 51,419 slaves, in a total population of 5 ½ million persons. Various measures were adopted to bring about emancipation: a date for the legal abolition of slavery throughout the State was fixed; the Government undertook to pay a statutory price for every registered slave; a system of apprenticeship of slaves was elaborated, and it was agreed that children of slave origin should be free *ipso facto* after a fixed date. Information which came to hand during 1926 shows that the scheme has now been carried out, and nearly 60,000 slaves have been released at a cost of £275,250. This number includes 5,000 slaves who were set free by their owners without compensation. The successful carrying through of this scheme is to be regarded as a notable achievement.

In *Ruanda-Urundi* under Belgian mandate slavery in all forms is prohibited. The 1925 report, however, points out that it is possible that there still exists a traffic in native children with the important Moslem centres of Ujiji and Tabora, both of which are in British territory. Questioned on this point at the ninth session of the Mandates Commission, the accredited representative recognised that there was a real danger in this district. For this reason the populations which had become Arab were subjected to a special system. Up to the moment nevertheless nothing of any real gravity had been noticed.

Investigations carried out in *Sierra Leone* during recent years showed that a large proportion of the population of the Protectorate, estimated by different observers at from 15 to 30 per cent., were domestic slaves, although their conditions



were not onerous and implied very little hardship. As, however, Sierra Leone was the only territory in British West Africa where the legal status of slavery had never been definitely abolished, and as it seemed desirable to place the matter on a proper basis, an Ordinance was brought into force on 14 April 1926 which definitely lays down that no claim for or in respect of any slave is to be entertained by any of the Courts of the Protectorate, that all persons born or brought into the Protectorate are free, and that all persons treated as slaves or held in any manner of servitude are to become free on the death of their owners.

In the *Sudan*, the slave trade has for some years been entirely abolished, but domestic slavery has always existed, though in a constantly diminishing degree. The attitude of the Government towards the system was laid down definitely in a White Paper which was published during 1926. The policy of the Government has always been to endeavour to secure that the system should come to a natural end, and the fact that all persons born after the date of the occupation are legally regarded as free, together with the recognition of the principle that no master has the right to retain Sudanese servants against their will, will finally ensure the cessation of the system. The inhabitants of the areas where it exists, however, are Mohammedans, and Mohammedan law not only recognises the slave status, but secures certain benefits to the slave. Any hasty action taken in the face of universal public opinion would, it is stated, not be successful, but the authorities at the end of 1925 appointed a Special Commissioner to make full enquiry into the position of slavery with the object of its ultimate disappearance from the Sudan.

It may perhaps be mentioned that in the unadministered portion of the Sudan in the south east, bordered by Abyssinia, Uganda and Kenya, inter-tribal raids are reported to occur from time to time. A White Paper issued during 1925 by the British Government shows that a military force has to be used from time to time on the frontier of Kenya in order to deal with the Abyssinian raiders who descend on the Kenya tribes and loot their stock. No specific mention is made of slave raiding, but in the past women and children have occasionally been carried off for slaves in the course of these raids.

Anxiety has been expressed regarding the position of Armenian children, survivors of the 1916 massacres, who were settled in the Ras-el-Ain district of *Syria* and who were reported to have been oppressed by local tribes. An enquiry was undertaken on this question and the situation was explained as follows in the last report submitted to the Permanent Mandates Commission:—

“Most of these cases are of children or women who have been living for some ten years with the tribes in question, who have grown accustomed to this kind of life and who have in certain cases contracted close ties with the families to which they belong. The women who were girls at the time of the massacre are married and have children. The boys and girls have become assimilated with their surroundings and are ignorant of their origins. If invited to decide themselves as to their future, most of them would ask nothing better than to continue to lead their present life and would undoubtedly refuse to accept any change in their condition.

“This moreover has been the experience at Hassetché and at Deir-el-Rakka of the agents of the Armenian Relief Committee accredited to the League of Nations. The number of Armenians, women, girls and children, rescued through them has been small and this result has been due not only to the fear of difficulties with the tribes concerned, but also to a lack of willingness on the part of the persons themselves.”

Slavery, head hunting and human sacrifice were recently found to be prevalent in two unadministered areas in *Upper Burma* near the Assam frontier. The first of these areas is the Hukwang Valley in the Naga Hills, which contains a population of about 10,000 persons of a Mongol-negroid type, of whom one-third were found to be either predial slaves, bound to give a certain proportion of their produce to their masters, or domestic slaves, who are the absolute property of their owners. Interviews between the leading chiefs and the British administrative officials attached to the Burmese Government resulted in agreement on a system of emancipation by redemption. A price of about 80 rupees was fixed, and on payment of this amount by the Government, the slaves were to become free and to have the privileges of free men. This amount was to be repaid by about one-half of the slaves, no recovery being made from the remainder in order to induce them to remain in the district where their labour was needed. Unmarried women, children and persons suffering from physical or mental infirmity were exempted from repayment. Under this arrangement, 3,487 persons were freed. The owners appeared to be well satisfied with the prices, and in many cases freed slaves agreed to go on working for their late masters. A similar policy was followed during the winter of 1926-1927, in the second area, known as the Triangle, a region more thickly populated than the Hukwang Valley, and containing more slaves.

196. — *Measures concerning forced labour, contract labour and the general conditions of native labour.* — From the preceding paragraphs it will have been seen that the campaign against slavery and the traces



of it which still remain is being actively pursued in many parts of the world. Developments in regard to those forms of labour which have so often succeeded slavery in the past, and to which recourse is still had in the present, namely, forced and contract labour, as well as more general measures concerning the conditions of native labour are detailed, country by country, in the present section.

In view of the proposals which have been made to introduce West African labour into *Ascension Island* in order to work the phosphate deposits, it is of interest to note that during 1926 a Workmen's Protection Ordinance was passed which regulates conditions of work in that island. Under this legislation written contracts of service are compulsory and must specify accurately the terms of the engagement, including the nature and place of the service, the duration of the contract, the rate of pay and the provision to be made by the employer for the return of the worker to the place of engagement, and must contain an undertaking to provide medical attention. The Ordinance also empowers the Governor to make regulations concerning such questions as places of recruitment, the form of contract, housing accommodation, food, medical service and the provisions to be made by an employer for the maintenance of good order and conduct.

In the continent of *Australia*, certain of the States have taken legislative measures to protect natives in employment. During 1925, an Ordinance was passed for the Northern Territory, consolidating previous legislation and requiring that persons employing natives must be licensed. A return of native employees must be furnished and the contract must be drawn up in a prescribed form. Breach of contract by the worker is punishable with forfeiture of wages or suspension of the permit to enter the town district. Special regulations are laid down for natives employed on board ships. In Queensland, regulations, dated 8 July 1926, in pursuance of the provisions of the Aborigines' Protection and Restriction of the Sale of Opium Acts of 1897-1901, laid down measures concerning agreements with native labourers employed in pearl fisheries and *bêche-de-mer* fisheries, governing recruiting, providing for the payment of a minimum wage, and insisting upon adequate provision with regard to the transport of the workers. Contracts are not to exceed twelve months in duration, and no persons under 18 are to be recruited.

In *British Malaya* further steps have been taken to extend the general protective legislation throughout the peninsula and to remove from labour its last traces of a servile status. In the first place, in *Kedah* a Labour Code (Enactment No. 2 of 1926) has been promulgated embodying

all the chief provisions of the Codes adopted in the Straits Settlements and Federated Malay States in 1923 and in *Johore* in 1924. The result is that in this rapidly developing area with its three and a half million people, a complete and fundamentally uniform code of labour legislation now covers all but a half million of the inhabitants. In the second place, in *Johore* the measures by which contracts and penal sanctions for labourers recruited in the Dutch East Indies were permitted have been repealed by the Netherlands Indian Labourers Repeal Enactment. The significance of both these measures is the same. The Malayan Governments are finding it progressively possible to regard the terms of agreement between employers and their servants, who are principally Indians and Chinese, as civil contracts actionable by civil and not criminal action before the courts.

The most interesting part of the last report upon the administration under mandate of the territory of *British Togoland* is its complete analysis of the compulsory labour imposed upon the natives.

In the first place, compulsory labour is employed in the maintenance of what are known as "political" roads, which are distinct from the "trade" roads under the charge of the Public Works Department. Under the Gold Coast Roads Ordinance, which has been made applicable to the Territory, each adult male may be required, at the instance of a District Commissioner, to perform 24 days' work per annum on the roads. The labour is called out through the Chiefs, who also receive the remuneration. It is said that this system is in accordance with native custom and has not been the subject of complaint. The workers assemble and disperse at their own convenience and the amount of daily work is stated to average seldom more than 3 hours. A second form of compulsory labour, this time paid for directly to the native concerned, is exacted, again through the Chiefs, in connection with portage for Government service. Whenever possible, this is avoided, and the Administration evidently shares the attitude towards this form of labour which is general in the African colonies, namely, that it is an evil, though possibly for at least some time to come a necessary evil.

For the protection of ordinary labour the Gold Coast "Regulation of Employment Ordinance" has been extended to this area. The Ordinance makes provision for the supervision by the District Commissioners of labour contracts and regulates their terms. They are particularly stringent in regard to emigrant workers. The Gold Coast regulations prohibiting, as a general rule, the employment of women at night are also applied in the territory.

As is usual in areas under British Administration, the authorities play no part in the recruiting of labour for private



enterprise, except that of the issue of licences to and the supervision of recruiters. It would appear that during 1924 and 1925 no recruiting for private enterprise took place.

In the Mandated Territory of the *French Cameroons* it is estimated that there are at present twelve to fourteen thousand wage-earners, and the conditions of these workers is governed by the Decree of 4 August 1922 as amended and extended by those of 9 July 1925 and 13 February 1926. The first-mentioned Decree provided facilities for the attestation of labour contracts by a Government official. This attestation is not compulsory, but attested contracts must contain certain particulars such as the duration of the contract (which may not exceed two years), the rate of pay, an undertaking by the employer to provide board and lodging, and the amount of any preliminary advances made. Penalties are prescribed for breach of contract. This legislation also established arbitration boards to deal with individual and collective cases of labour disputes. A native assessor sits on each Board.

The Decree of 9 July 1925 laid down regulations concerning the engagement of natives outside their own districts. It prohibits Government recruiting for private employers, requires all recruiting for private employment outside the district to be authorised by the Administration and lays down detailed regulations concerning the conditions which employers must undertake to provide.

In order to regulate the considerable stream of emigration, chiefly into British Cameroons, which now occurs, the Decree also prohibits the emigration of natives from the Territory without an authorisation, which can only be obtained by deposit of a guarantee of which the sum was originally fixed at 500 fr., but the amount of which, under the Decree of 13 February 1926, is now to be determined in each case by the High Commissioner.

Compulsory labour is used for the construction work on the Central Railway, on which during 1925 about 6,000 requisitioned workers were employed. The Administration limited the area for the recruitment of these workers to the districts in South Cameroons which were adjacent to the line in course of construction. For this levy a proportion of the fit population for every district is called out, recruits being subjected to a strict medical examination. The contract period is for nine months. The hours of work are from 6 — 11 a.m. and from 2 — 6 p.m. Labourers are employed on task work wherever possible. The daily rate of pay is 90 centimes, a regular ration, of which the net cost is 1.90 fr., being added. Each group of 10 workers is accompanied by a woman who acts as cook. Any necessary medical attention is given under the direction of a doctor attached to the

officer in charge of the construction works. The European staff is specially selected and all brutal treatment is forbidden. 1,200 voluntary workers, or one-fifth of the total number employed, were taken on again at the end of their first period of engagement. The death rate among these requisitioned railway workers has in the past been very high; the rate for 1925, however, showed a reduction.

A second form of compulsory labour existing in the French Cameroons consists of a system of labour dues (*prestations*) levied under the Decree of 1 July 1921, whereby a labour tax consisting of ten days' unremunerated labour must be furnished annually by every adult able-bodied native. These dues may be commuted by a payment, fixed for 1926 at the rate of 2 fr. per day. This labour is used only for the construction and maintenance of district roads (*travaux de vicinalité*). The period of the year at which this work is carried out is fixed by the District Officer in consultation with the Chiefs and an endeavour is made to avoid its use during the harvest season.

During the last few years the construction of the line from Brazzaville to the sea has led to the issue of certain instructions regarding labour in *French Equatorial Africa*. In particular the Order of 20 January 1925 laid down the duties, rights and remuneration of native labourers on the railways, and organising their employment, and the Order of 7 February 1925 set up a Native Labour Department in the railway administration. For more than four years many thousand natives have been compulsorily employed on this work. They are engaged for a period varying between three and six months, are fed and housed, and paid on the basis of the average customary wages in the locality.

An important Order dated 7 January 1925 has reorganised the system of labour dues (*prestations*) in French Equatorial Africa. According to this Order, the labour levies called up under the *prestation* system will be used primarily for improving the sanitation of native villages, for the campaign against sleeping sickness, for rudimentary town-planning operations and for the maintenance of native paths and tracks. Children under 15 years of age and men over 60 years of age are exempt from service, and certain classes are entitled to commute their services by money payments. Each year a detailed programme is to be drawn up of the work on which these levies are to be employed. The district officers are responsible for drawing up this programme, which is subject to the approval of the Lieutenant-Governor. No more than 15 days' work may be enforced. Subject to this maximum, however, the number may vary with each district. Such are the outlines of the new system, the intention of which is to regularise



the use of labour levied under the *prestation* system, and to facilitate its supervision.

Conditions of native labour in *French Togoland* are governed by a Decree of 29 December 1922 and two Orders of 27 October 1924 and 11 December 1925. The provisions of the first-mentioned Decree are similar to those of the French Cameroons Decree of 4 August 1922, except that in French Togoland the attestation of the contract is compulsory and the particulars specified in the contract must include provisions concerning the safety of the worker. The two later Togoland Decrees institute the use of a contract work book and make detailed provisions for safeguarding the health of workers in public and private undertakings. Medical examination of recruits is prescribed on departure from the place of engagement, on arrival at the workplace, on termination of the contract and at least four times a year during the engagement. Cases of infectious disease must be notified to the nearest medical officer, employers must provide facilities for conveyance of cases of serious illness to the nearest hospital and notification of death by the employer is made compulsory. The employer must also pay the travelling expenses from the place of recruitment to the workplace and give the recruit a maintenance allowance which has recently been raised from 1.50 fr. to 2.50 fr. per day.

The plentiful supply of labour has so far rendered it unnecessary for the Administration to adopt compulsion in order to carry out public works, such as railways and construction of roads, and the Administration last year declared that it had no intention of requisitioning labour for the construction of the contemplated railway between Agbonou to Agbandi, a distance of about ninety kilometres.

The system of labour dues (*prestations*) already referred to as existing in French Cameroons is also in use in French Togoland. This tax is levied under the provisions of an Order of 3 July 1922 which requires that all adult fit males in the territory between the ages of 18 and 50 must annually perform four days' unremunerated labour on the maintenance of roads, bridges and telegraph tracks. Commutation of this labour in money is permissible, and the daily rate of commutation for natives was fixed for the year 1926 at 1.25 fr. — 2 fr. according to the district. 89% of the persons affected availed themselves of the option to commute during 1925.

In *French West Africa*, general regulations covering the employment of native labour in private undertakings have been embodied in a Decree dated 22 October 1925. This Decree, which is restricted to the enunciation of guiding

principles, leaves the details of its application to the Governor-General of French West Africa. Its main provisions may be summarised as follows.

Native labour may be employed under simple engagements in accordance with local custom, under verbal or written agreements, or under labour contracts. The contracts are required to contain details as to the exact nature of the work to be performed, a certificate of physical fitness, the duration of the contract, the rate and method of payment, rations, clothing, and housing, etc. The duration of the contract may not be less than three months, and may not exceed two years. The Decree provides further for the appointment of arbitration boards for the settlement of individual or collective labour disputes, and for the interpretation of the terms of contracts.

The general principles on which this Decree is based are the same as those applied elsewhere in French possessions in Africa. The same principles can be found in the Decree of 4 May 1922, governing conditions in French Equatorial Africa, the Togoland Decree of 29 December 1922, and the Cameroons Decree of 4 August 1922. Similar principles have been followed in the Decree governing native labour conditions in Madagascar and its dependencies (22 September 1925).

Following the Decree of 22 October 1925 summarised above a series of Orders was issued during 1926, laying down the details for its application.

Forced labour in *Iraq* is permissible only in case of danger from flood, locusts or fire, and is paid. Work recently done in connection with the floods was paid for at the rate of 1 rupee per day (the usual market rate for unskilled labour) plus rations.

In *Madagascar* the question of the labour supply has become urgent, the post-war economic expansion in the colony having been threatened owing to the increased difficulties experienced in recruiting workers for private and public undertakings. The whole question was dealt with in a Decree dated 22 September 1925, which is based on the same general principles as those governing the regulation of native labour in the other French possessions in Africa: supervision of the recruitment of workers by local authorities, establishment of a contract of service for all engagements lasting more than three months, limitation of the maximum duration of the contract to two years, obligation to insert in the contract of service certain definite provisions, penal sanctions for the infringement of labour regulations, and the creation of arbitration boards to settle individual or collective disputes between native workers and employers.

The Decree also provides for the creation in Madagascar of a Central Labour



Office to collect, co-ordinate and publish information relating to labour and of regional labour offices to perform the work of employment exchanges, to supply information and to compile statistics. The same Decree provides for a system of inspection to ensure the execution of native labour regulations in the colony.

As a complement to the Decree two series of Administrative Orders were issued on 30 December 1925, establishing the mode of application of the Decree and giving in particular a model work book and employers' register as provided by the Decree.

In spite of the various measures thus taken to regulate the labour supply in Madagascar, the recruitment of labourers still met with great difficulties. To overcome them, Mr. Marcel Olivier, the Governor-General of the Colony, recently proposed to the Minister for the Colonies the introduction of important innovations based on the principle of using the second portion of the native levies, i.e. those recruits who are not called up, but who are neither exempt nor unfit for military service. The Minister accepted this proposal and issued a Decree embodying it on 3 June 1926. The most important section of this Decree provides that all "men belonging to the second portion of the native levies of Madagascar and dependencies, who remain at home at the disposal of the military authorities as members of the active army for the space of three years, may during this time be summoned by order of the Governor General to take part in work of general interest necessary for the economic development of the colony while remaining liable to their military obligations as defined in section 9 of the Decree of 4 September 1919".

An Order of the Governor-General dated 29 November 1926 regulates the application of this Decree.

The territory of *New Guinea* under Australian mandate is at present almost solely dependent for its prosperity on the culture of the coconut palm, copra forming 95 per cent of the total exports. This is grown for the most part on the large plantations originally established by the Germans in the coast districts, and now under the control of the Expropriation Board, which employs over 23,000 indentured native labourers (including nearly 600 women). The conditions of the labourers are regulated by a comprehensive Labour Ordinance. Contracts are made for a maximum period of three years, and may not be extended, although a new contract may be entered into for a further similar period, but in such cases the labourer must be given the option of returning to his home between the two engagements. Employers are expected to provide rations, housing and cooking arrangements as specified in the Ordinance.

The maximum working hours are ten per day, and the rate of pay five shillings to ten shillings per month.

The system of criminal penalties is in force as a punishment for breach of contract, and labourers who fail to enter upon their contract or who desert may be imprisoned for a term not exceeding three months, while a native who refuses to perform any work which, under his contract, it is his duty to perform may be punished with a fine not exceeding 14 days' pay or with imprisonment not exceeding 14 days.

An alternative to the indentured labour system has been tried recently in the Manus district, in the shape of what are called job contracts. Under this arrangement the native keeps clean the bearing portion of the plantation and collects and dries the copra. The necessary tools and materials are supplied by the planter in the first instance, but renewals are made by the native. The results seem to be very successful as the planter obtains his copra more cheaply than under the indentured labour system, whilst the native has the full benefit of his industry.

A system of compulsory plantation cultivation for the native's own benefit has been recently put into force, in virtue of which able-bodied male natives not under indenture may be called upon to plant every year such crops as the Administrator may direct.

There is no forced labour in the territory in the ordinary sense of the term. The native inhabitants of villages adjacent to roads are, however, responsible for their maintenance. In cases where no village is adjacent, the district officers recruit and pay labourers for the purpose. Natives may, if the Administrator deems fit, pay their head tax by means of labour, but they cannot be compelled to do so.

In *Nigeria*, the administration has always been reluctant to sanction the use of indentured labour and has moreover kept a strict watch on the conditions of recruitment among the native population of Nigeria for service outside the Protectorate. Evidence of this is the fact that an Order in Council, dated 30 October 1926, which was made under the Native Labour Foreign Service Ordinance, prohibits the engagement anywhere within Nigeria of any labourers for service in Fernando Po, and this prohibition applies in the Mandated Territory of British Cameroons as well as throughout the Colony and Protectorate of Nigeria. On the other hand, a Government Notice (No. 84 of 1926) permitted the recruitment of 300 labourers in Oyo Province for work in the Gold Coast Mines, which would seem to indicate that conditions of labour in those mines are now considered by the Nigerian authorities to be satisfactory.



A not inconsiderable number of legislative measures affecting various aspects of social and economic life in the *Portuguese Colonies* was promulgated during 1926. The texts of most of the decisions of the central and local authorities, however, have not yet been communicated to the Office.

For certain Colonies the Home authorities gazetted instruments of Government during 1926, while a Decree of 2 October 1926, No. 12421, laid down "the organic bases of Colonial administration." Mention should also be made of a Decree of 13 August 1926, No. 12110, setting up within the Ministry of the Colonies a Superior Colonial Council possessing powers of supervision with regard to certain classes of labour contracts.

A notable event in 1926 was the promulgation of the Decree of 23 October, No. 12533, concerning the political, civil, and penal status of natives in *Angola* and *Mozambique*. According to the explanatory statement attached to the Decree, it has two main objects: the first is to secure not only respect for "the natural rights" of the natives, but also the fulfilment by the natives of all their obligations including those relating to labour; the second object is to raise progressively the level of the conditions of life of the natives without destroying the framework of their rudimentary civilisation, in such a way as gradually to transform their customs and to make them more valuable members of society. The Decree establishes a special jurisdiction suited to the mentality of primitive peoples and sets up special courts for them.

In certain sections the Decree covers labour questions. Section 5 guarantees the freedom of the natives with regard to agreements for the hire of services and lays down that the authorities are required to take the necessary measures to secure the validity and the proper enforcement of such agreements. A paragraph of this section dealing with forced labour runs as follows: "... forced labour is authorised only in cases of absolute necessity, for works of public interest of such urgency that they cannot be postponed. Forced labour shall be paid for according to the circumstances".

By section 19, a Committee for the Protection of the Native is set up in the chief town of each District; the chairman is to be a delegate of the Department of Native Affairs and the Committee is to be composed of a doctor, a missionary and two natives, the natives being appointed by the Governor-General and chosen from among the chiefs. This Committee will have the function of supervising all agreements between natives and non-natives, including labour contracts.

Within the year from the date of publication of the Decree the Governor-Generals of the two Colonies concerned are to issue regulations for its enforcement.

Lastly, mention should be made of an order dated 1 May 1926, No. 309, cancelling in Mozambique the re-entry tax hitherto paid by natives returning from the Transvaal. This order also institutes a system of money payments carrying exemption from the labour services imposed as taxation (*prestations*). One-half of the benefits of this tax is to be paid into a relief fund for native emigrants.

On 12 May 1926, a joint Session of both Houses of Parliament of the *Union of South Africa* passed the Colour Bar Act, which had formerly been rejected by the Senate. The effect of this Act will be to permit the issue of regulations restricting employment in certain occupations to Europeans and to certain other specified peoples, thus barring the employment of black and most Asiatic workers. It is maintained that in practice the position has not been changed by the passing of the Act, since previously, by custom, industrial agreements, terms of contract, or regulations, a clearly defined colour bar existed, which it is not the Government's intention to extend in virtue of the powers now conferred upon it.

The colour bar principle, nevertheless, is one of great interest in the study of native labour conditions. When a highly advanced civilisation comes into contact with a more primitive culture, the first problem the administration has to meet is that of protecting those brought up under the more primitive from the often devastating effects of contact with the higher civilisation. In a short time, if the country attracts labour of the higher civilisation and if the representatives of the lower are virile and imitative, the problem changes. It becomes one of how to protect the higher civilisation against the encroachment of the lower in the form of economic competition. It is as a solution of this second problem that the colour bar has been evolved, mainly in South Africa and in the United States of America. It will be for these countries to decide whether it has value as other than a transitional measure.

At the present moment, however, it is of interest to note that there seems to be a tendency, in South Africa at least, to regard the principle of the minimum wage and the establishment of what is called a "civilised" labour policy as of more lasting value in the protection of European standards of life than is the colour bar. It is reported in the South African press of 27 January 1927, for example, that, the South African Minister for Posts and Telegraphs having asked the opinion of a trade union executive on the utility of a clause inserted in contracts under the Public Work Department whereby the contractor guarantees to employ none but white workmen on skilled labour,



the executive decided to recommend that the colour bar be removed from the conditions of contract, and that a clause be inserted ensuring in all cases the payment of the standard trade union rate of wages.

Very varying reports concerning the condition of the native Indian populations of *South America* continue to reach the Office, and it seems clear that there are certain areas of that continent in which effective administration can hardly be said as yet to exist. Full information of the measures taken to protect the Indian workers from the dangers of peonage, forced labour and even (it is alleged) virtual enslavement is not yet available, and it is hoped that a more complete account than is now possible will be made to a later Session of the Conference.

In the meantime recent action taken in the Argentine may be noted. By a Decree of 13 January of this year the Ministry of the Interior has greatly enlarged the powers of the Indian Reserves Commission, giving it, in particular, the duty of regulating and inspecting the conditions of labour of the natives and the supervision of labour contracts. The preamble of the Decree states that its object is the protection of the Indians against the abuses of which they are sometimes the victims.

The report of Major Orde Browne on labour questions in *Tanganyika*, to which an earlier reference has been made, is prefaced by the Governor, who makes definite statements in regard to both forced labour and to Government recruiting. On forced labour the Governor states that "it is the policy of the Government to avoid the use of compulsory labour for public works and services, and this policy will be steadily pursued". As to compelling natives to seek employment, the Governor is explicit. A British Government, he states, could not give an order that the natives should go to work. Neither was the possibility of the Government itself recruiting labour for the plantations — a system "open to very grave objections" — admissible for *Tanganyika*. The plantations therefore "had to attempt to coax the labour to their properties", and, "if they want to keep their labour, employers must make their estates popular with the natives". The policy here implied is precisely that indicated by the East Africa Commission and by Major the Hon. W. Ormsby-Gore, Under-Secretary of State for the Colonies, when, speaking of Kenya, he stated that the obtaining of labour was one of the risks of any undertaking in that area, that it was not the business of Government to guarantee the supply, but that good conditions and fair treatment would result in attracting the workers.

The recruitment of natives for work at distances from their homes was the sub-

ject of a measure passed in *Uganda* in 1925. The Ordinance in question, which is entitled the Masters and Servants (Amendment) Ordinance, 1925, provides that where a labour agent applies for a permit to recruit labourers for work outside the district of recruitment, he must produce in writing the terms of employment offered, specifying the nature and duration of employment, the place of employment, the remuneration, and the victualling, cooking, bedding and housing arrangements proposed. On the basis of these terms the Provincial Commissioner may issue or, subject to appeal to the Governor, refuse to issue the permit. The Ordinance also prescribes that a native may not be taken out of his district without a written contract embodying the terms of his employment in accordance with the permit issued.

As recounted in previous Reports to the Conference, a most interesting experiment in regard to the employment of Chinese coolies in *Western Samoa* (under New Zealand mandate) has been carried out in recent years. The Chinese Free Labour Ordinance of 1923 put an end to the old indenture system with its penal sanctions for breach of labour contract, and the Chinese worker is now free to choose and change his employer during his stay in the islands, and in regard to breach of contract is liable only in the same way as other workers. The most recent report indicates that the new system continues to work well, though some employers appear to complain that dissatisfied labourers leave their employment to seek new masters at awkward times. The Administration considers, however, that the advantages gained under the principle of free labour greatly outweigh any disadvantages; the labourers appear to work much better than previously and malingering may be said to be non-existent.

The success of this experiment, considered in some quarters to be somewhat bold and risky, is a good augury for the future of efforts now being made to bring about reform in the long-term contract system, which has been and still is the source of much injustice and suffering in certain parts of the world.

197. — These indications of movement during the past twelve months or so, brief as they must necessarily be in a Report of this nature, are yet sufficient to show that the regulation of the conditions of native labour is everywhere considered a matter ripe for the undertaking. The obstacles in the way are frequently analogous to those felt in more advanced countries, difficulties of international competition, difficulties preventing a more rapid advance in one area whilst neighbouring areas lag, difficulties which, in short, can only be removed by international



agreement. To some extent attempts are being made to meet the position in this respect by conference between the authorities of neighbouring areas, as in the case of the British East African dependencies, but it is clear that partial concordats of this kind cannot fully meet the position. There are difficulties of a second nature which demand notice. Certain administrations find that the presence of white settlers complicates their task of promoting the welfare of the native peoples under their charge. Whilst it may be true that in the long run the interests of settlers and of natives will coincide, short run views are apt to differ widely. The administrations therefore find themselves in a kind of "buffer" position between the demands of white settlers or planters for labour and their own ideas as to how the development of the native peoples should be brought about. Public opinion in general supports the administrator against the planter or the concessionaire, but it can hardly be doubted that the moral backing which international agreements give would be welcomed by many harassed officials. The Office believes that the time is ripe for the conclusion of such agreements on certain of the questions concerning native labour.

With this object in view, and to ensure that whatever proposals which may eventually be made shall be such as to present to the interested States the most serious guarantees of having been prepared in the light of the fullest knowledge and with the assistance of the most qualified opinion, the Committee of Experts has been set up. Its members have been consulted by correspondence as to what particular phases of native labour conditions are most ripe for international action, and the consensus of their opinions is that the questions of forced labour and of contract labour may very well be treated internationally at a relatively early date. The Office is at present preparing detailed studies of these questions, and it is hoped that a provisional draft of the first of them may be considered by the Committee of Experts during the present year.

As yet, no question concerning native labour has been placed upon the agenda of the Conference. The Governing Body provisionally retained a place for a question concerning native labour on the agenda for 1928, but in the face of the possibility of an exceedingly heavy session — already, because of the inclusion of maritime questions, a double session — it was obliged to limit itself to the addition of one new question only, that of accident prevention, which appeared because of its ripeness and urgency to have priority. There can be little doubt however that the Conference must be called upon at a relatively early date to consider native labour.

### *Special countries—Asiatic Enquiry*

198. — The situation of Asiatic countries in regard to social policy has received attention by the Conference at each session since Washington, and the interest thus shown developed into the idea of undertaking a documentary enquiry, the lines of which were eventually laid down at the 1925 Session. It will be remembered that on 17 October of the same year the Governing Body instructed the Office to undertake this work by enquiry "into the conditions of labour in those countries, more especially in China, India, Japan, Persia and Siam, and in the colonies, protectorates and mandated territories in Asia."

The enquiry, the preliminary results of which were outlined last year, has been pursued with diligence. At the present moment the enquiry into conditions in Siam is almost finished, the study on Japan is progressing rapidly, and the reports on China and India are nearing completion. With regard to Persia, the information which it has so far been possible to collect is somewhat scanty. Lastly, the studies on the Dutch East Indies and on British Malaya are in course of preparation.

With regard to certain independent or quasi-independent States which are not Members of the International Labour Organisation, such as Afghanistan, the autonomous Arab States and the Soviet Republics of Asia, the Office, in spite of its efforts, has as yet but fragmentary information.

Such is the present state of the work. It will perhaps be permissible, while describing the enquiries relating to each country, to give such indications as are included each year on social and industrial developments in Asiatic countries.

199. *China.* — The drafting of the portion of the enquiry dealing with conditions of labour in China has proved particularly difficult, owing to the absence of official or private bodies compiling general statistics on the various aspects of economic and social life in China. This general difficulty has, moreover, been complicated by the political troubles of the last few years. These troubles have increased in magnitude and since the end of 1925 only a limited amount of information has been received from Government sources, while the information from private sources used by the Office has reflected the general anxiety existing in Chinese circles and in foreign circles in China.

The general plan adopted for the enquiry has been followed as far as possible. It has, however, been thought desirable to extend the introduction, and to examine in detail the natural resources and the industrial



possibilities of the country, since only by such an examination can an exact idea of the economic and social future of China be obtained. Similarly it has been held necessary to devote particular attention to all questions relating to the workers' movement in China. These important questions are dealt with in a special chapter containing all available details. The existence, side by side, of guilds or workers' organisations of the old type and of trade unions of the Western type and the partial combinations which have resulted are peculiar to the Chinese workers' movement.

At the time of drafting the present Report, two parts of the enquiry still remain to be completed. The first will deal with the living conditions of workers employed in factories and with conditions of work. The second part will deal with the social institutions set up on private initiative or on the initiative of the Government.

The Office feels justified in affirming that the part of the Asiatic enquiry dealing with China will form a first, if a modest, essay in reviewing the whole of the various aspects of labour problems in the Empire of Cathay.

In 1926 the most important event, both politically and socially, was the advance of the troops of the Southern or Canton Government, which successively occupied various of the provinces. These provinces, in theory at least, were subject to the central Peking Government. They are now subject to the laws of the Canton Government.

In the provinces still under Peking social legislation has not advanced far. The Provisional Factory Regulations of 29 March 1923 which, as far as labour regulation is concerned, form the principal existing text, have not, owing to the absence of any Parliament, been made law. The Government, however, is endeavouring to secure their enforcement. In last year's Report it was stated that factory inspectors had been sent to Tientsin, Shanghai and Hankow. The Office has since learnt that a questionnaire on conditions in factories has been drawn up by these inspectors, but no further information has been received, except that the Chinese Cotton Spinners' Association has approached the central Government asking it to secure the application of the Provisional Regulations in foreign factories, in accordance with Section 2 of the Regulations.

In addition to the Regulations of 29 March 1923, there is also a Decree dated 31 December 1923 prohibiting the manufacture, importation and sale of matches containing white phosphorus. This Decree was issued following the ratification by the Chinese Government of the Berne Convention of 1906. Its general effects are not yet known. According, however, to a report of the Bureau of Economic Information, which last year conducted an enquiry

into conditions in match factories in the province of Chekiang, only red phosphorus is to be used in future.

Various Bills and regulations, most of which have been examined and amended on more than one occasion, have still to be given legal effect. One of the most important of these is the Trade Union Bill, which has been re-examined more than once. The instability of the political situation has prevented it from being put into force, but it is still receiving the Government's attention. Other proposals for the issue of Ministerial Regulations, as mentioned in the report presented by the Chinese Government to the 7th. Session of the International Labour Conference, have not yet been published, probably for similar reasons. Among these are the proposed general regulations regarding labour conditions on the State railways, and for the same classes of workers the proposed general regulations regarding workmen's compensation for accidents and occupational diseases and the proposed regulations regarding the foundation of co-operative societies, saving banks and pension funds.

The Government of *Southern China* has, in regard to labour legislation, devoted its attention principally to the question of the right of association. The first measure adopted in this connection was the regulations relating to trade unions published some three years ago. The chief features of these regulations are the following :

1. The regulations cover manual and intellectual workers of both sexes, including public officials ;
2. Trade union membership is open to all workers over 16 years of age following the same occupation or working in the same undertaking ;
3. To obtain legal status trade unions must consist of 50 members and be registered ;
4. Trade unions enjoy civil personality, the right to express their opinion by speech and writing and the right to give instruction. In addition they are entitled to organise strikes and to negotiate with the employers on a footing of equality. Certain of their property is not distrainable and they are preferential creditors in case of failure of any bank in which their funds are deposited ;

5. The trade unions are allowed to be affiliated to other Chinese or foreign trade unions.

Following the publication of these regulations, several hundred trade unions were set up in the provinces of Canton, Kwangsi, Hunan and Hupeh.

In September 1926, the Canton Government published regulations concerning arbitration, by which on the request of one



of the parties arbitration proceedings are automatically opened before a committee, the decisions of which are legally binding.

The Department of Agriculture and Industry of the Canton Government has recently submitted for the approval of the Political Committee regulations relating to strikes. The most important features of these regulations are as follow :

1. Employers are not allowed to take on new workmen in the place of those on strike ;

2. Compensation will be paid to workers dismissed for inadequate reasons ;

3. Where a strike has taken place for the purpose of increasing wages, the wages paid for the days during which the workers were on strike are calculated according to the new scales accepted by the employers and strikers ;

4. Employers are not allowed to promote the creation of new trade unions with a view to injuring existing trade unions ;

5. Employers on a small scale (persons who work on their own account and do not employ more than 5 workers) may join trade unions.

Towards the end of 1926 the Chinese press announced that the Canton Government intended to publish in the near future factory regulations covering the province of Hupeh, in consequence of the particularly acute labour troubles in this district. The principal provisions of these regulations are as follow :

The regulations apply to factories employing more than 20 workers or presenting certain dangers to the life or health of the workers (Section 2). The workers are authorised to conclude collective agreements with the employers (Section 3). The minimum age for admission to employment is fixed at 12 years. (Section 4). Young persons below 15 years of age and women may not be employed between 9 p.m. and 5 a.m. (Section 5). Children and women may not be employed on dangerous or unhealthy work (Section 6). A minimum wage of 13 Chinese dollars a month is established, which is not applicable to apprentices. (Section 7). Hours of work are limited to 10 in a day. The weekly rest is compulsory and paid, though exceptions may be authorised by the competent authorities. (Section 8). The principle of equal pay for equal work of both sexes is established. (Section 9). Women in child-birth are entitled to six weeks rest. (Section 10). Provision is made for compensation in case of accidents, sickness and dismissal. (Section 11). Employers failing to obey the above provisions are liable to fines of from 500 to 1000 dollars. (Section 15).

This Decree differs on two fundamental points from that adopted by the Central Peking Government in 1923. In the first place, it contains penal sanctions in case of breach ; in the second place, it establishes the principle of the minimum wage. It thus marks a progress in the history of social legislation in China. Its application is limited to the single province of Hupeh, but there is reason to believe that it will shortly be extended to the whole country under the Southern Government.

In the outline of Chinese labour legislation given in former Reports, it was pointed out that in theory the national legislation was applicable to the whole of China, excepting the territories the sovereignty of which had been alienated, that it was not therefore necessary to enact special laws for the concessions, but that, nevertheless, the Commission on Special Countries of the 1st. Session of the International Labour Conference considered it advisable to recommend to the Governments concerned "to enforce in their territories within China the same restrictions as the Chinese Government has accepted."

Shortly after the publication of the provisional Factory Regulations of 1923, the authorities of the international concession of Shanghai, acting on the suggestion made at Washington, appointed a Committee to examine the single question of child labour. It has been explained how the Committee came to recommend measures differing but slightly from those of the Chinese Government. It has also been mentioned that the authorities of the concession failed in 1925 to obtain from the tax-payers' meeting the powers necessary for the application of these measures. Since that date the question has remained in suspense. This has evidently been largely a result of the political difficulties. But the special technical difficulties in Shanghai must also be recognised. If penalties were to be imposed in cases of breach, it would have been necessary, so as to avoid the reproach of aggravating instead of lightening the lot of the children, to provide for the creation of primary schools at the same time as for the limitation of the age of admission. The number of such schools in the Shanghai region is, however, extremely limited.

Moreover, in view of the high cost of living in Shanghai and of the low wages paid to the unskilled workers, who form the immense majority of the Chinese workers in factories, provision would have to be made for cases in which the family expenses could not be met without the wages, no matter how small, of the children whose employment was to be prohibited.

In addition to these considerations in the sphere of economics, there are others of a



political nature. In China, at the present moment, there is a strong movement in favour of the revision of the so-called unequal treaties signed by China a century ago. According to the most moderate thesis, China should oppose any extension of the powers of the foreign Governments possessing concessions in China. Since, by the terms of these treaties, Chinese legislation is applicable to the whole of China, including foreign concessions, the supporters of this thesis maintain that it is the Decree of 29 March 1923 which should be applied in Shanghai, and not the measures adopted by the authorities of the concession, even if these measures would result in greater protection for the workers.

Other Chinese circles demand the retrocession, purely and simply, of the concessions to China. Under the influence of this movement the first breaches in the system of special rights for foreign powers can be traced. The course of events during the last years makes it impossible, however, to foresee even the immediate future.

This summary of facts, nevertheless, seems to prove that the question of special labour legislation for the concessions is now of less interest and that it is rather towards the Chinese Government that the Organisation must turn to hasten the introduction and the effective enforcement of measures for the protection of the workers.

Some information on the development of the workers' movement in China during 1926 will also not be out of place. Although this movement still retains the political character mentioned in last year's Report, it has, on several occasions, shown signs of endeavouring, within the near future, to affect a real improvement in the working and living conditions of the workers.

A distinction must be drawn between the provinces subject to the Peking Government and those subject to the Canton Government. In the North, efforts were made to develop the workers' movement at the beginning of the year, while the Kuominchun, under the orders of Marshal Feng-Yu-Hsang were in possession of Peking, but these efforts ceased as soon as Marshal Tchang-So-Lin was again in power. Marshal Tchang-So-Lin took various steps to prevent manifestations from the workers. In Shanghai, Marshal San-Chuang-Fang, military Governor of the surrounding provinces, has recently adopted similar measures, in particular dissolving the Shanghai Seamen's Trade Union and the Shanghai General Labour Union.

It is rather in the territories conquered by the Southern armies that the workers' movement is expanding. In Hupeh there are 120,000 workers organised in about 100 trade unions, nine tenths of which are of recent creation. In Hunan there are 533 trade unions, almost all recently created,

with a total of 320,000 members. In Kwangtung (Province of Canton) there were last year about 200 trade unions with more than 200,000 members.

The movement towards the organisation of agricultural trade unions is of still greater interest. In the single province of Kwangtung there are more than a million organised agricultural workers.

Finally, there are signs of a trend towards the unification of the workers' movement. Liaison is being established between the trade unions of the different provinces. Federations of industrial and agricultural workers and of factory and workshop workers are being formed.

In May 1926 the third Workers' Congress was held at Canton, attended by 400 delegates representing 1,240,000 workers from the various parts of China. At the second Congress, held in 1925, there were hardly more than 500,000 workers represented.

Of recent growth, the Chinese workers' movement is still fundamentally national. Its relations with the workers' organisations in other countries have hardly developed, except with the trade unions of neighbouring countries, in particular Russia. Contact will, however, possibly be established this May in Canton, when a meeting is to be held of the trade union leaders of the Asiatic and Pacific countries. This meeting will probably take place in connection with the fourth Chinese Labour Congress.

**200. India.**— In former reports attention has been drawn to the importance of the social legislation adopted by India on the lines laid down in the Conventions and Recommendations voted by the Conference, and the present report displays in connection with each Convention the vitality of this legislation.

Since the beginning of 1926 two important measures have become law: the Factories Amendment Act, and the Trade Union Act. The new Factories Act has defined more precisely the scope of factory legislation and has provided more stringent regulations in regard to health and safety, rest periods, employment of women, etc. The Trade Union Act gives legal sanction to the labour organisations registered in accordance with its provisions. This is an entirely new situation, the importance of which it is not necessary to emphasise. Furthermore, although the unions are prohibited from using their funds for political activities, they are allowed to establish special funds for such purposes, provided the contributions are made voluntarily. Another provision is that non-union members are allowed to hold executive positions in the trade unions.

The whole of Indian labour legislation is being analysed in the Asiatic Enquiry which is now being pursued. The Enquiry necessarily falls into two parts: that deal-



ing with Indian States and that dealing with the British Provinces or British India.

The case of the Indian States, as has been explained, raises a particular problem. They are not Members of the International Labour Organisation and as quasi-independent States are not subject to the labour legislation enacted by the Government of India. They occupy 711,000 square miles and possess a population of 72,000,000, i.e. their area is 40 per cent. of the total area of India and their population 22 per cent. of the total population of India. Moreover, some of the States, such as Hyderabad, Mysore, Travancore, Baroda and Gwalior are of considerable industrial importance. The Office has, therefore, as stated last year, sought the assistance of the Government of India to ascertain whether trustworthy evidence can be obtained on labour conditions in these States.

The main object of the enquiry undertaken by the Office is to describe the conditions of labour on the basis of the documentary evidence published by the Central and Local Governments in India. This study has been supplemented by reports and publications of employers' associations and labour organisations and by journals and periodicals and general literature on the subject.

With a very short sketch of the physical, social, political and economic conditions of the country as a sort of introduction, the study briefly describes the growth of modern industrialism and the increase in the number of the workers in organised industries since their first influx into them. A full discussion is then undertaken of labour legislation, industrial relations, conditions of employment, health and safety, hours of work, industrial efficiency, industrial remuneration, standard of living and unemployment.

The enquiry into the conditions of labour in factories and mines is nearing completion and the enquiry into conditions in other industries is being pressed forward.

201. *Netherlands East Indies.* — The Office is unable to report great progress in the study of conditions in these areas. This is due to the variety and complexity of the problems encountered. The Netherlands East Indies comprise a great number of islands of all sizes, having a land surface of some two million square kilometres (788,000 square miles). Whilst geographical conditions are very similar throughout the Archipelago, there are wide differences of race, density of population, and culture, ranging from the thickly-populated island of Java, seat of an ancient civilisation, to the thinly-populated and to some extent still unexplored islands of Borneo and New Guinea (the Outer Provinces).

In Java the already well-established traditions of colonial undertakings and the

abundance of labour have led to an organisation of industry with some points of similarity to that in force in the modern West. Since the abolition of slavery (1825-1863) and the repeal of legislation making breach of contract a criminal offence, the contractual relations between employers and workers in Java have with some exceptions been governed by the very general provisions of the Civil Code (§§ 1601-1603). This contract legislation has long been recognised to be inadequate, and the Report of the Chief of the Labour Office of the Netherlands East Indies on the strikes which took place in the metal industry at Surabaya in December 1925 was particularly emphatic regarding the evils arising from the absence of more detailed legislation regulating the reciprocal obligations of employers and workers. In this respect what may be an important step forward was made in 1926 by the issue of a Royal Decree (*Staatsblad*, 1926, No. 335) amending *inter alia* §§ 1601-1603 of the Civil Code in general agreement with §§ 1637-1639 of the Netherlands Civil Code. At present, however, these new labour contract regulations will only be applied to European workers in the East Indies.

The factory and mines legislation applicable to Java and Madura consists mainly of technical provisions for the prevention of accidents. There is as yet no labour inspectorate, but the question of setting one up has been frequently under discussion. At its creation in 1921, the Labour Office attached to the Department of Justice at Weltevreden had a division called "Labour inspection for Java and Madura". This division has been replaced by the safety inspection service. Nevertheless, the safety inspection officers have now certain other duties, not wholly technical, which give them to some extent the character of labour inspectors. The manner in which this transformation has taken place is of particular interest to the International Labour Organisation, for it has arisen from the application in the Netherlands East Indies of the Conventions relating to the night work of women and young persons, and to the minimum age for employment of children. The Ordinances (*Staatsblad*, 1925, Nos. 647 and 648) applying these Conventions with modifications adapting them to local conditions came into operation on 1 March 1926. It may also be mentioned in passing that the Ordinance (*Staatsblad*, 1926, No. 87) applying the Conventions fixing the minimum age for employment at sea for children and young persons (trimmers or stokers) came into force on 1 May 1926.

Another division of the Labour Office at Weltevreden deals with the trade union movement. At present it is only possible to speak of a trade union movement in the Western sense in regard to the European



workers and employees. During 1926 the question of the creation of a General Confederation of Trade Unions has been keenly discussed, but has broken down on the difficulties of close co-operation between the trade unions of State servants, which include many workers of the lower-paid categories, and the trade unions of private employees. The native trade union movement, on the other hand, is still at that very early stage of development when temporary and badly-organised combinations arise and disappear as currents of feeling for economic and political changes seek expression, die away or are suppressed. Numerous unions of this type have been founded, at first under the religious nationalist influence of the organisation *Sarekat-Islam* (founded in 1911), and since 1920 more and more under the influence of the Communist Party of Indonesia. These associations have been more or less in constant conflict with the Government, which in May 1926 prohibited meetings organised by the "red" trade union secretariat. At present, according to the banished Communist leader, Semaoen, they continue to exist practically as illegal organisations.

That there is much unrest in Java is shown by the strikes of 1925 and 1926, more especially the metal workers' strike in Surabaya in December 1925, and by the disturbances of November 1926. That this unrest is at any rate partly due to economic causes can hardly be doubted in the light of the official "Report on the economic condition of the native population in 1924", which clearly points to retrogression in the economic well-being of the natives. To what extent there were political apart from economic causes of these troubles would be difficult to estimate. There can, however, be no doubt that the feeling of unrest which found its expression in the recent disorders was utilised by the Communist Party of Indonesia.

The disturbances of November 1926 in Java were followed in the early part of the present year by risings in Sumatra, the most developed island of the Outer Provinces. If the early history of the Netherlands East Indies is mainly that of Java and Madura, the evolution of the colonisation of the Outer Possessions since about 1860 shows that the future belongs in an ever-increasing measure to these territories. The value of their total production already nearly equals that of Java and Madura, although their immense resources still remain largely untouched. Here, the greatest problem which European planters have had to face is that of the labour supply, and the way in which the difficulty has been met has given rise to the development of a corpus of labour legislation, which, although it only applies to labour recruited outside the island on which it is employed and still

contains criminal penalties for breaches of the labour contract (the "penal sanctions"), provides a considerable degree of protection to the workers concerned.

In the Enquiry the history of this movement will be described, from the first recruitment of workers from 1864 to 1872 up to 1925 when coolie labour in all the Outer Provinces was regulated by Ordinances on almost identical lines.

These Ordinances provide that workers from other Provinces may be engaged under a written contract for employment for commercial, agricultural or industrial undertakings (except small scale agriculture or horticulture), for public works and for the construction and operation of railways and tramways. The initial contracts, or "immigration contracts", may not be made for longer than three years, and renewed contracts, or "re-engagement contracts", may not be made for longer than thirteen months, provided that, in the case of agricultural undertakings, re-engagement contracts may be continued until the end of the harvest but not longer than eighteen months in all. The Ordinances specify in detail the provisions which must be inserted in the contract. Other provisions deal with the registration of contracts, the duties of the employers and workers, pay books, repatriation, etc.

All the Coolie Ordinances, as issued or amended on 29 June 1925, continue to contain the "penal sanctions". Every wilful breach of contract of employment is punished by detention not exceeding one month or by a fine not exceeding 100 guilders; a second offence within two years is punished by detention not exceeding three months. Wilful breach of contract by the worker is defined as (a) failure to report for work at the date specified in the contract; (b) desertion; (c) persistent refusal to perform the work undertaken. Smaller penalties are provided for resistance, threats or insults to the employer and his staff, breaches of the peace, refusal to work, incitement to desertion or refusal to work, brawling, drunkenness, etc. Employers and others may also be punished by detention not exceeding one month or by a fine not exceeding 200 guilders for incitement to non-observance of the contract or the encouragement of non-observance.

The question of the continuance or the abolition of the penal sanctions has been keenly debated for many years. A conclusion in favour of abolition appeared to be imminent in 1915 when an amended Coolie Ordinance for the East Coast of Sumatra (*Staatsblad*, 1915, No. 421) was issued containing a § 24 empowering the Governor-General to order that the penal sanction sections should cease to be operative whenever, in his opinion, circumstances permitted. Moreover, in June 1918



the Government of the Netherlands East Indies announced that the penal sanctions would soon be abolished, and the date 1 January 1924 was mentioned. Before this date was reached, however, the opinion of the Government had changed, and it was stated in the preamble to an amendment to the 1915 Ordinance (*Staatsblad*, 1924, No. 513) that "the system which underlies the contract of employment on the East Coast of Sumatra cannot in the interest of the country be dispensed with, until local circumstances make more severe sanctions than those of the civil law unnecessary". By *Staatsblad* 1925, No. 201, however, a Permanent Advisory Committee on labour questions was set up for the East Coast of Sumatra, one of the duties of which is to advise the Governor-General every five years on the possibility of carrying out the provisions of § 24. The first investigation for this purpose will take place in 1930.

The supervision of the application of the provisions of the Coolie Ordinances is entrusted to the Labour Inspectorate for the Outer Provinces set up in 1908 and attached since 1923 to the Labour Office. Though small in numbers, the biennial reports of the Labour Inspectorate show it to be a very powerful agent in the protection of the workers. The Labour Inspectorate is also entrusted with the supervision of the application of the Free Labour Ordinance (*Staatsblad*, 1911, No. 540), the purpose of which was to make it possible for workers from other Provinces, and especially Javanese, to make contracts of employment under other conditions than those of the Coolie Ordinances. Contracts made under this Ordinance, however, still represent only a small minority of the total number of contracts.

It has often been said in recent years that the abolition of the penal sanctions depends upon the successful colonisation of Sumatra and other islands by the Javanese. Such colonisation is, indeed, urgently needed in the interest not only of the Outer Provinces, but also of Java which is rapidly becoming over-populated. It would not appear, however, that much progress has yet been made, and the problem remains one of the most urgent with which the Government has to deal.

It is impossible in this Report to touch upon all the problems which a study of conditions of labour in the Netherlands East Indies reveals. Enough has perhaps been said to show the importance of the Netherlands East Indies as a laboratory of the social and economic problems of colonial territories, and to justify the somewhat greater space devoted to them in the present Report.

202. *Japan*. — 1926 was an eventful year for Japan from the point of view of

labour legislation and of her relations with the International Labour Organisation.

On 1 July, many important labour laws, enacted in previous years, were simultaneously brought into operation. The Health Insurance Act of 1922 which benefits over two million workers in factories and mines was perhaps the most interesting of these laws. Among other which came into force on that date were: the Public Peace Police Amendment Act, repealing certain important articles of the original Act which had been severely criticised as limiting trade union freedom; the Labour Disputes Conciliation Act, which provides an entirely new scheme for dealing with labour disputes; the Minimum Age Act of 1923, which is in line with the Washington Minimum Age Convention; the Factory Act Amendment Act of 1923, which also follows the provisions of the Washington decisions; the Mining Act Amendment Act of 1924; the amended Ordinance for the compensation of workers in State undertakings including State factories and mines; the amended Ordinance concerning the employment and compensation of Miners; etc.

Besides these legislative activities, the keen interest which the Japanese Government takes in the International Labour Organisation has been shown by various administrative measures. An example is the complete transfer, during the year, of the conduct of business in connection with this Organisation from the Department of Foreign Affairs to the Bureau of Social Affairs, and the setting up in the Bureau of a separate and independent section to deal exclusively with all matters connected with the Conference.

The enquiry into working conditions in Japan, which is progressing steadily, will take within its scope all these new developments in labour legislation and labour administration. During 1926, the Office published a brief study on industrial conditions and labour legislation in Japan<sup>1</sup>. As this study was almost complete prior to the Resolution of the Conference concerning the Asiatic enquiry, it cannot be considered as part of the enquiry. Moreover, since the opening of the enquiry, the Japanese Government has supplied the Office with much further material which will be of great value for the amplification and the bringing up to date of the enquiry. Besides dealing with general working conditions such as hours of work, wages and cost of living, woman and child labour, unemployment, industrial hygiene, social insurance, etc., it is proposed to devote adequate attention to important phases in the transition from the feudal to the modern, capitalistic economy, as well as to the economic resources of the country.

<sup>1</sup> "Industrial Conditions and Labour Legislation in Japan"; Studies and Reports, Series B, No 16.



203. *British Malaya*. — For the purpose of the Enquiry, British Malaya is regarded as consisting of the Straits Settlements, the Federated Malay States of Perak, Selangor, Negri Sembilan and Pahang, and the Unfederated States of Johore, Kedah, Perlis, Kelantan and Trengganu. It has, however, been found convenient to devote some attention to the other British Protectorates in the Malay Archipelago (British North Borneo, Brunei and Sarawak) where conditions present a certain degree of similarity, and it is the Office's present intention to give a brief account of these areas as an appendix to the main report.

Some of the most recent changes in these territories have already been mentioned in the section of this Report dealing with general developments in colonies, protectorates and possessions.

204. *Siam*. — The first draft of the Report on the Enquiry relating to Siam has been completed. This Report has been prepared on the basis of the official publications of the Government of Siam, such as the Statistical Year Book and the reports of the Financial Adviser, supplemented by articles in periodicals on various aspects of industrial life in Siam. Particularly valuable have proved the series of Memoranda prepared by the Siamese Government and communicated to the Office at various times in connection with the question of the possibility of the ratification by Siam of the Conventions of the Conference.

The report on labour conditions in Siam is, as was to be expected, to a considerable extent negative. There is at present in Siam no labour legislation; there are no workers' and employers' organisations, and there are consequently no collective agreements relating to the conditions of employment.

A considerable amount of useful information is, however, contained in the Report with regard to the organisation in Siam of agriculture and forestry. The Report contains information with regard to the steps taken by the Siamese Government to develop technical education and to foster and improve the industries of the country. It also contains the detailed views of the Government as to the possibility and desirability of the ratification of International Labour Conventions. Finally, it contains some particulars and statistics with regard to the standard of living in Siam and to the level of wages and of food prices.

#### *Factory Inspection.*

205. — The discussion in the various countries which during 1926 centred round the question of factory inspection — an institution which often arouses controversy and which is frequently undervalued — shows

that factory inspection is and will always continue to be an essential instrument for the effective protection of the workers. It is sometimes said that factory inspection decreases in importance in proportion to the development of collective agreements and the growth of trade union organisation. This view is not confirmed by experience. A well organised factory inspection system is the only real guarantee that labour legislation will always and everywhere be strictly applied.

It was for these reasons that the 5th Session of the Conference adopted the Recommendation on factory inspection. It seems clear today that that Recommendation has achieved its object, because it has served as a model for the institution or modification of factory inspection systems. It also supplies inspection services with a useful argument when they have to ask Governments for an extension of their powers or for an increase of staff.

The information given below is sufficient to show that the Recommendation has not remained a dead letter.

#### *Effect given in 1926 to the Recommendation concerning the general principles for the organisation of systems of inspection (1923).*

##### *(a) Communications to the Secretary-General of the League of Nations.*

*Norway* : A report submitted to the Storting in 1925 stated that the steps to be taken would be considered when the Bill to amend the Worker's Protection Act was introduced in the Storting (1 December 1926).

##### *(b) Application measures.*

*Ecuador* : Decree of 13 July 1926, establishing a general factory inspectorate under the Ministry of Social Welfare and of Labour.

*Roumania* : Act organising a service of factory inspection (March 1927).

In addition, however, to the measures adopted in application of the Recommendation, it is necessary to mention various steps which have been taken with a view to developing or improving factory inspection systems.

In *Germany*, the Federal Minister of Labour on 28 December 1925 issued an order drawing the attention of the Federal Insurance Office to the necessity of collaboration between the public factory inspectors and the technical inspectors of the trade accident insurance associations in seeing that the rules laid down for the prevention of accidents are observed. At the same time agreements were concluded with the States, which are competent on the question of factory inspection, with a view to facilitating collaboration of this kind. It is for instance laid down that in important cases the two officials who have to inspect the same undertaking shall do so together,



that they shall take the most important decisions jointly, and that they shall in all cases regularly inform one another of what they have observed in their visits to undertakings. It is hoped in Germany that these regulations will do much to aid in the prevention of accidents.

In *Italy*, there is an interesting innovation to report: a Royal Decree dated 3 January 1926, No. 79, provides for the institution of a National Association for the Prevention of Occupational Accidents. The decree transforms the former Association of Italian Employers for the Prevention of Accidents into an official institution with the sole responsibility for inspecting all industrial undertakings with a view to enforcing the rules for accident prevention. The inspectors of the Association will have the same powers as public inspectors. In future the ordinary factory inspectors will not have to concern themselves with the prevention of accidents.

In *Russia*, newly appointed inspectors have to pass through a period of probation in which they are trained for the discharge of their duties. During the probation period they attend special classes, and they are recommended to keep in constant touch with the trade unions. The Seventh Trade Union Congress has asked that the number of women factory inspectors should be increased.

The Office continued during 1926 to study the annual factory inspection reports of the various countries. Other urgent work required by the Conference or the Governing Body has necessitated a temporary suspension of the work of making a comparative summary of these reports, as suggested by the 5th Session of the Conference. It is however hoped that the work will soon be resumed.

#### *Right of association for trade purposes.*

206. — In the Directors' Report for previous years the section under the above heading has contained an account of the manner in which the attention of the International Labour Organisation has been directed towards the question of the right to combine for trade purposes, and of the demands which have been put forward with a view to obtaining recognition of that right. An account was also given of the discussions which have taken place in the Governing Body and at various sessions of the Conference on the subject, and reference was made to the resolutions which had been adopted instructing the Office to undertake an international enquiry in regard to the law and practice concerning

trade unionism. In the Report to the Conference last year the opinion was expressed that the work of the Organisation in regard to this question should logically lead to a proposal for the international regulation of the right to combine for trade purposes. In virtue of the decision adopted by the Governing Body in January 1926 the question is now definitely placed before the Conference.

In its attempt to discover a certain number of uniform principles governing the right to combine for trade purposes in the various countries, the Office has necessarily encountered serious difficulties arising not merely out of the extreme complexity of trade union legislation, which, whether in consequence of the deliberate wish of the legislating authorities or as a result of spontaneous development, now more or less embraces every aspect of social life, but also and especially from the diversity of the legal methods which have been adopted in recent years for the purpose of dealing with the problem of the right of association.

A brief analysis of the chief Acts relating to trade unions which were adopted in 1926 will serve as an introduction to the discussions which will take place at the Conference this year by throwing into relief, as in previous years, the varied character of the methods and even of the principles which have been adopted. The delegates will have received the reports prepared by the Office. It will therefore be sufficient in the present Report to draw attention simply to the most recent developments.

Two questions have attracted particular attention, viz. the right to strike in general and the right of public officials to form trade unions.

As a result of the events which have taken place in the past year in *Great Britain*, the question of trade union law has assumed special prominence in that country. In consequence of the miners' stoppage, which was for a certain time supported by a (so-called) general sympathetic strike called by the Trades Union Congress, Parliament has turned its attention to the problem of defining the legal position of trade unions more precisely. A Bill for this purpose was introduced by the Government on 4 April 1927 "to declare and amend the law relating to trade disputes and trade unions, to regulate the position of civil servants and persons employed by public authorities in respect of membership of trade unions and similar organisations, to extend section 5 of the Conspiracy and Protection of Property Act 1875, and for other purposes connected with the purposes aforesaid".

The first clause of this Bill declares that any strike is illegal if the following conditions are fulfilled:—



(1) If the strike has any object besides the furtherance of a trade dispute within the trade or industry concerned, and

(2) If it is calculated to coerce the Government or to intimidate the community or any substantial portion of it.

Clause Two protects workers who refuse to take part in any illegal strike. Clause Three is intended to strengthen the law for the prevention of intimidation. Picketing of the home of a worker is made a criminal offence and picketing in any place in such numbers or in such manner as is calculated to intimidate is made unlawful. Clause Four declares that no member of a trade union shall be required to make any contribution to the political fund of a union unless he previously gives notice in writing of his willingness to contribute. Clause Five prohibits Civil servants from being members of any trade union unless that body is confined to persons employed under the Crown and is independent of any outside trade union, federation of trade unions or any political party. Under Clause Six it is unlawful for any local authority to make it a condition of employment that a person must be a member of a trade union or to impose any condition whereby persons who are or are not members of a union are placed under any disability. Clause Seven gives the Attorney-General, in addition to any persons interested, the power to apply for an injunction to restrain any application of the funds of any trade union in contravention of the provisions of the Bill.

It will only be possible to form an opinion in regard to the scope and probable effects of the Bill after it has been passed by Parliament in its final form.

One important question, that of the law in regard to general strikes, has been the subject of a legal decision. On 12 May 1926 Mr. Justice Astbury delivered a judgment in an action brought by the National Seamen's and Firemen's Union against certain members of the Liverpool Branch of the Union in which the following passage occurs :

"The so-called general strike called by the Trades Union Congress is illegal and contrary to law, and those persons inciting or taking part in it are not protected by the Trades Disputes Act of 1906. No trade dispute has been alleged or shown to exist in any of the Unions affected, except in the miners' case, and no trade dispute does or can exist between the Trades Union Congress on the one hand and the Government and the nation on the other. The orders of the the Trades Union Council above referred to are therefore unlawful, and the Defendants are at law acting illegally in obeying them and can be restrained by their own Union from doing so."

This decision means that the provisions of the Trade Disputes Act 1906 (which, it will be remembered, relieve the promoters of a strike from civil and criminal

liability for the consequences of the cessation of work, however serious those consequences may be) do not apply to strikes for other than purely industrial purposes.

Similar issues are raised in a judgment delivered on 25 October 1926 by the U.S.A. Supreme Court. The Court was asked to decide whether the right to strike should be regarded as a constitutional right arising out of the fourteenth amendment to the Constitution, which guarantees individual freedom and the right to work and thus makes it impossible for legislation of the various States to interfere with those rights. In its judgment the Court held that the right to carry on an occupation was indisputable, and that it was illegal to attempt to hinder such right without just cause. A strike might be justified in itself, but some strikes were illegal by their objects, and such was the case with a strike to enforce payment. The legislature might make such action punishable criminally as extortion or otherwise, and it might subject to punishment him who uses the power or influence incident to his office in a union to order the strike. Neither the common law nor the XIVth. Amendment conferred the absolute right to strike.

It is generally agreed that these decisions are of considerable importance as they imply that the question whether a strike is lawful or unlawful depends on its object or on the specific motive of its promoters.

The question of the right of public officials to form trade unions has not yet been dealt with by means of legislation in *France*. The committee on labour questions of the Chamber of Deputies at the end of December 1926 approved a Bill brought forward by M. Chabrun, which, as was pointed out in the Director's Report last year, brings public officials, salaried employees, agents, sub-agents and workers in the employ of the State, departments, municipalities and public undertakings within the scope of the Act of 21 March 1884 concerning trade unions.

In April and June 1926 the *Swiss* National Council adopted articles 13 and 22 of the Bill concerning the conditions under which public officials are engaged. Article 13 deals with the right of association and is worded as follows :

Public officials are allowed to form trade unions within the limits fixed by the Federal Constitution.

No public official may, however, be a member of an organisation which provides for the eventuality or for the utilisation of a strike of public officials or which in any other way pursues objects or employs means which are unlawful or contrary to the interests of the State.

Article 22 deals with the right to strike and is worded as follows :

Public officials are forbidden to strike or to encourage other public officials to strike.



No organisation or co-operative society may exclude a public official from membership or inflict economic loss upon him on account of his abstention from a strike.

The progress noted in last year's Report in Far Eastern and South American countries towards the general regulation of the right to combine for trade purposes has been accelerated in 1926.

Following the example set by the Canton Government, which, it will be remembered, recently adopted an extremely liberal law concerning trade unions, the *Chinese* Government has recently brought in a Bill for the detailed regulation of the formation, administration and activities of trade unions<sup>1</sup>.

The *Japanese* Diet did not succeed in the course of the 1926 Spring session in disposing finally of the Government's Trade Union Bill. The Prime Minister and the Minister of the Interior and Communications have, however, both declared that it is urgently necessary to deal with this subject. It is therefore generally thought that the Bill will again be brought before the next session of the Diet, which will doubtless propose amendments to it based on a more liberal spirit than previously, in accordance with the desires both of public opinion in general and of the Parliamentary Committee to which the Bill was submitted. The amendments which are regarded as essential and which are expected to be adopted deal with the following questions: the necessity for legally recognising federations of trade unions, discretionary power to request or not to request corporate legal status, and the penalties to be inflicted on employers in case of any infringement of the right to join a trade union. Thus amended the Bill will probably be adopted by the Diet at its next session.

Whilst in Japan the trade union Bill has not yet become law, in *India* the Trade Unions Act was adopted on 25 March 1926. This Act embodies and codifies the essential provisions of British trade union legislation. It is therefore superfluous to analyse its provisions in detail in the present Report. The Indian Act differs, however, from British legislation in regard to the employment of trade union funds. Political funds must, in so far as they are permitted by law, be separated from the general funds of a recognised union. They must be constituted solely by voluntary contributions, which must be clearly distinguished from trade union contributions properly so-called.

In South America, the *Argentine Republic* has followed the example of Brazil

and Chile in dealing with the question of trade union organisation. On 27 September 1926 the Senate approved a Bill concerning workers' and employers' associations brought forward by Senator Ruiz. Under sections 1 and 2 of this Bill the following are regarded as recognised associations under the terms of Article 33 of the Civil Code and are granted the rights and privileges attaching to corporate status:— any society, association or union of workers which pursues one of the following objects: regulation of the wages, hours of work and conditions of work of its members; protection of the individual rights of its members in carrying out their work; payment of benefits to members in case of unemployment, sickness, invalidity, death or military service; establishment of employment exchanges for members; promotion of technical and general education of members.

All these measures have one common feature: trade combinations are, in view of the social importance of the free development of the trade union movement, recognised and granted legal status with a view to stimulating their activities and promoting their extension. On the other hand, the legislative authorities make no attempt to interfere in the internal affairs of trade unions and refrain from subjecting trade unions to exceptional legal restrictions.

The legislation adopted in 1926 in *Spain and Italy* is based on a different conception of trade union law. An account was given in the Director's Report to the Conference last year of the Italian reform, and the subject has also been dealt with in the studies prepared for this year's Conference with the care and extensiveness which it deserves. It is therefore unnecessary to deal with the matter at length in the present Report. Under the Act of 3 April 1926, the regulations of 1 July 1926, and the various supplementary legislation which has since been promulgated, the State, according to the Italian system, bestows recognition on one single official union, of employers on the one side and workers on the other. The formation and activities of these unions are strictly supervised; they are made the legal representatives of all workers and employers respectively within their particular territorial districts. The State controls industrial relations collectively through the official unions by granting the right to conclude collective agreements, to bring disputes before the Labour Courts as required by law and to appoint trade union representatives on the various bodies or institutions in which the trade unions have to be represented, to the recognised unions alone. On the basis of this trade union and corporative organisation the State proposes to carry out a complete transformation of social, economic and political life.

<sup>1</sup> See ante, *Special countries*, for the chief provisions of this Bill (§ 199).



In face of so absolute a monopoly of trade union and political rights as has been granted by the State to the official unions there was really no longer room for free trade union organisations; accordingly on 4 January 1927 the Management Committee of the General Labour Confederation adopted the following resolution dissolving the Confederation:

"The Management Committee of the General Labour Confederation.... in view of the failure of its attempt to carry on a *de facto* trade union organisation under section 12 of the Act of 3 April 1926 and in accordance with other legislation concerning police supervision and of the impossibility of proceeding to a distribution of membership cards for 1926, declares that its functions are at an end and requests the Executive Committee to liquidate the General Labour Confederation."

Spain has followed Italy's example in adopting a new method of trade union legislation. The Spanish system, while largely based on the Italian model, differs from it in several important respects. As in Italy it involves a general regulation of the whole field of social and trade union life under direct supervision of the State. Both systems are based on the principle of trade union organisation referred to in both countries as "organisation on corporative lines". Thus the objects pursued in both countries are identical, but considerable differences exist in the methods adopted. This is not the place for a comparative analysis of the two systems, but it appears worth while to note the essential differences.

The Italian system starts by imposing a complete change of status on trade unions. It is based on the establishment of a single official union to which is granted a monopoly of the right to represent trade interests. Thus *de facto* organisations and non-members of the official union take no part in the regulation of labour conditions. The organisation by Ministerial Decree of recognised associations representing the various elements in a given branch of production — employers, workers, technicians, etc. — into corporations is only the second stage in the process of organisation. Such corporations do not, however, possess any specific corporative status of their own but are merely State administrative organs.

On the other hand, under the Spanish Decree organisation by corporations is the first step. It is based on the following institutions: (a) Joint Committees; (b) Mixed Labour Committees, and (c) Committees of Delegates from the Councils. The feature which distinguishes the Spanish system fundamentally from the Italian consists in the fact that it does not begin by changing the status of trade unions, inasmuch as the trade union representatives on the various corporative bodies are appointed by the legally constituted trade combinations, i.e. by the voluntary trade unions. Thus, it is possible for the

voluntary unions to participate directly in the work of the various bodies responsible for trade union regulation.

A few details may be supplied in regard to the organisation and working of the national corporative system under the Decree-Act of 27 November 1926. The Joint Committees are to be official public organisations. They are to be divided into District and Inter-District Committees. Industries, employments, crafts and trades are to be classified in three large groups: (a) primary production; (b) secondary production; (c) public services, commerce and miscellaneous.

The District Joint Committee for each industry is to consist of five employers and five workers with the same number of substitute members. The chairman and first vice-chairman are to have no connection with the industry but are to be appointed by the Ministry of Labour. The second vice chairman, the secretary, the treasurer and the accountant are to be appointed by the Committee from among its own members. The members of the Committee are to be appointed by the lawfully constituted employers' and workers' organisations in the industry, craft, public service or profession. Only organisations consisting exclusively of intellectual or manual workers and set up for the protection of trade interests are recognised as workers' organisations. Each organisation is to have one vote for every hundred or fraction of a hundred members.

The Inter-District Joint Committee for each industry is to consist of seven employers and seven workers with the same number of substitute members. The functions of the District and Inter-District Joint Committees are to be as follows:

(1) To fix the conditions on which labour is to be regulated (wages, hours, rest intervals) and in general to fix standards which are to form the basis for drawing up collective agreements;

(2) To endeavour to prevent disputes and to settle them where they occur;

(3) To settle individual or collective disputes between workers and employers;

(4) To organise *bourses de travail*, which are to act as employment exchanges;

(5) To carry out such other duties of a social nature as may be required in the interests of the trade.

The Mixed Labour Committees are to be formed by Joint Committees with kindred labour or economic interests. For this purpose each Committee is to appoint three employers' and three workers' representatives. In this case as in that of the Joint Committees the chairman, first vice-chairman and secretary of each Committee are to be non-members of the trade and to be appointed by the Ministry



of Labour. The remaining officers are to be chosen by each Mixed Committee from among its members. The functions of the Mixed Committees are to be the same as those of the Joint Committees, but will be exercised over a wider field.

The Corporative Council is to be the central organ of each corporation.

Finally, the Committee of Delegates from the Councils is to be an advisory body to the Ministry of Labour, Commerce and Industry. Its members are to be appointed by the employers' and workers' members respectively of the Corporative Councils. The chairman and one of the vice-chairmen are to be appointed by the Ministry of Labour. The general secretary is to be appointed on the proposal of the Committee. The remaining officers are to be chosen by the Committee from among its members. The General Director of Labour and Social Activities and the General Inspector of Labour are also to be members of the Committee of Delegates from the Councils.

The Corporation is to consist of all the Joint Committees set up for each trade or profession covered by the Decree.

With a view to securing representation for every trade group on the corporative bodies, the Directorate of Labour and Social Activities of the Ministry of Labour, Commerce and Industry is to carry out a census of workers' and employers' organisations.

The above are the fresh developments during 1926 in regard to trade union law. As in previous years, an analysis of the new legislation shows considerable differences in points of view. The Conference will not fail to appreciate their importance. It will be for the Conference to decide in particular how far freedom of association, as embodied in the industrial law of the majority of countries and included among the principles affirmed in the Labour Section of the Peace Treaty, can be reconciled with the attempt to build up a corporative system and a method for the official regulation of trade disputes.

### *Industrial Relations.*

207. — It is usual at this point to deal with the question of the relations between employers and workers, conciliation and arbitration, the workers' share in management and in national economic life in general. Mention must first be made, however, of a special form of relations to which increasing attention is being given—i.e., industrial relations.

Reference has already been made in other parts of this Report to the attachment of an American expert to the Office

for the study of industrial relations.<sup>1</sup> This is a subject which has assumed particular importance in the United States, where, owing to a number of circumstances more or less peculiar to that country, the need for establishing closer contact between employers and workers is being increasingly felt. This movement has principally taken the form of establishing representative committees in the enterprise to confer with the management on matters affecting the shop. Such committees have been created both in union and non-union establishments. They vary very widely in their composition, their functions and their effectiveness, but it is generally agreed by all observers that they are having a marked influence on industrial life.

In the case of non-union establishments, they have often been instituted as a preventive of trade-unionism and indeed they constitute a new form of organisation which, however limited in scope, affords the unorganized workers an opportunity of placing their desires and grievances before the management, which they would not otherwise have possessed.

In the case of union establishments, the cooperation between the trade-unions and the employers which has been inaugurated seems to mark a transition to a new conception of trade-unionism which is now current in the United States as a constructive and responsible factor in industry.

Such cooperation only exists at present in the clothing trades, the shops of certain railway companies, and to a lesser extent in the printing trade. It cannot therefore be said to have attained any very great dimensions, but where it exists its results have certainly been striking. The works' committees or other forms of association within the plant, which have been brought into being under such schemes, differ in some aspects from those established in non-union undertakings. Whereas in the latter they represent a simple form of collective bargaining and often discuss wages, in the trade-union schemes wages, like all other conditions affecting the industry as a whole, are settled by collective agreement and are, therefore, excluded from the purview of the works' committees. In fact, the committees now functioning in the railway shops are precluded from dealing with any of the matters which are normally handled by the trade-union machinery, but confine their attention to positive questions affecting the shop, such as improvement of production, internal organisation, equipment, safety appliances and so on. As, however, the committees are composed of trade-unionists on the men's side and work under the auspices of the unions, it is understood that the latter will be entitled to discuss with the management the participation of the men in the addi-

<sup>1</sup> See ante, § 11.



tional profits arising from the improvement in production and the reduction of costs resulting from the work of the committees. The same principle is recognised in some of the non-union establishments in the form either of increased wages, production bonuses, or an allocation of the share of the profits to the workpeople. The essential feature, however, of all these schemes is the closer contact between management and employees and the collaboration of the latter to some extent through their representatives in matters affecting the general prosperity of the establishment in which they are employed.

The same problem is being approached in other countries by other though similar methods, such as the joint industrial councils in Great Britain, the works' councils in Germany, Austria, Czechoslovakia and Norway, the supreme economic council in France, and by the law of corporations in Italy. All these movements seem to indicate that a change is gradually being introduced in the relationship between employers and workers, and that the necessity is being recognised of associating the latter as responsible partners in industry through some form of representative organisation, if it is to be successfully conducted. It can hardly be said that any of the forms of organisation at present attempted have passed out of the experimental stage, but the movement is of sufficient significance to require the closest attention and to make it desirable that the success or failure of the various experiments now in progress should be carefully watched and analysed, in order that they may be made known and fully understood in all countries which are working along such lines. Industrial relations are not likely to remain stationary, but are subject to the law of progress or regress which governs most human institutions. The Office, therefore, makes no excuse for mentioning the subject here, as it is one in which the industrial world is likely to become more and more interested in the future.

#### *Conciliation and Arbitration.*

208. — Along with this development of industrial relations, the different States continued to give further attention in 1926 to methods of conciliation and arbitration. In pursuance of a wish expressed by the Conference in 1924, the Office has endeavoured to form an idea of the methods employed in the various countries for settling collective labour disputes. The Office has been able to help a number of Governments in their investigations or research. It has also published a series of three articles on conciliation and arbitration in the *International Labour Review* (Vol. XIV, Nos. 5 and 6; Vol. XV, No. 1)

and a single brochure under the title *Conciliation and Arbitration: an international survey*.

Instead of giving in the articles and brochure referred to above a long and detailed description of the methods in force in each country, an endeavour has been made to analyse the whole machinery of conciliation and arbitration with the ultimate object of distinguishing those methods which in practice would appear to have given the most satisfactory results. Clearly, with such a method it is impossible to arrive at anything like positive conclusions, and even if a system could be shown to have been definitely successful in one country it will not necessarily follow that such a system would prove satisfactory in another country. Nevertheless, the attempt, it is believed, may have a certain usefulness. In particular, it brings out that the ultimate aim of all methods of conciliation and arbitration is good will. Experience would seem to show that two factors are indispensable if good will in industry is to be maintained—full discussion at all stages, and a substantial agreement between the two parties as to what constitutes a "square deal." In the great majority of countries some provision for discussion is available. In relatively few is any attempt made to arrive at a square deal. In those countries where the attempt has been made (notably in the determination of wages by reference to pre-agreed principles) the results have been more than a little remarkable.

To turn to current events. Few outstanding changes were made during 1926, but the situation in two countries, Belgium and Great Britain calls for special comment.

In *Great Britain* the year 1926 is remarkable for industrial upheavals unparalleled in magnitude in that or probably any other country. The so-called General Strike and the prolonged stoppage of work in the coal-mining industry, which accounted for an enormous loss of working days, have given rise to much debate on methods for securing some greater measure of industrial peace.

From certain individuals out of the ranks of employers three general types of proposals have been advanced. These proposals are that there should be an "industrial truce" for some definite period, such as 5 years, that works committees should be more generally set up in the different undertakings, and that profit-sharing or co-partnership schemes should be introduced wherever possible. To all these suggestions organised labour is more or less hostile, chiefly on the grounds that, designedly or not, they tend to sap the power of the trade unions.

From the trade union side two important proposals have been forthcoming. The first is for an industrial council or an industrial parliament in which representa-



tives of the trade unions and representatives of the employers should meet for the purpose of resolving the major problems of industry. Projects of this type have already been twice essayed in Great Britain, once before and once after the World War, but without success.

The second proposal emanating from the trade unions is that principles of wage determination should be adopted by both sides and wage rates be settled accordingly. A passage from the report of the presidential address delivered by Mr. Arthur Pugh at the Trade Union Congress, September 1926, explains the general purport of this suggestion.

It was a question, said Mr. Pugh, for the trade unions to answer whether the time had not come to examine, in the light of the new theories, the whole basis and application of the traditional wage policy and methods of determining wages which the trade unions had followed. In his view, a scientific wage policy for the unions required to be thought out in relation to some generally acceptable set of principles for determining the division of the product of industry among those who had a claim upon it. That was especially necessary in regard to nationalised industries. Had not the time arrived to consider how they could apply the principle of a living wage, or basic wage, correlated to the index of national production and aiming at the equitable distribution of spending power in relation to family needs and the cost of living?

Mr. Pugh considered that an inquiry along those lines was an indispensable preliminary to any claim for the establishment of a legal minimum wage adjusted to human needs.

This suggestion is of special interest in view of the researches of the International Labour Office which would seem to indicate that scientific wage determination is one of the most important and at the same time one of the least studied branches of conciliation and arbitration.

In *Belgium*, the Royal Order published in the *Moniteur Belge* of 12 May 1926 is noteworthy as containing a highly interesting provision for constraining both sides to have recourse to the machinery of conciliation and arbitration set up. As is well known, the great difficulty in any measure of compulsion is how to devise some sanction which can be effectively and impartially applied. This difficulty here finds a novel solution. In the event of proved intransigence on the part of the employers, the workers on strike or locked out are entitled to draw unemployment benefit. In the event of a trade union not taking every possible step to prevent a stoppage of work, the union in question may be deprived of the right to the State unemployment benefit for the period of a year. The question is whether in actual practice this system will afford an effective means of inducing employers and workers to adopt peaceful methods of dealing with industrial disputes.

*Labour co-partnership, workers' share in the management of undertakings and in national affairs.*

209. — The Director's Report last year indicated the interest which has been aroused by the question of the workers' share in the management of undertakings and in national affairs. It will be sufficient this year to give a brief account of further developments in this connection during 1926, after making a rapid survey of the progress made by the labour co-partnership movement, which raises very similar issues.

The progress of labour co-partnership has been slow and has met with numerous difficulties owing chiefly to differences of opinion among the two parties concerned, viz. workers and employers. Some employers view the claims which the workers are almost bound to put forward under a co-partnership scheme, for the right to supervise the manner in which an undertaking is conducted, with apprehension. On the other hand, the workers regard the varying schemes of co-partnership and profit sharing with undisguised suspicion; many such schemes seem to them to conceal behind deceptive appearances a tendency to make the worker's fate closely dependent upon that of the particular undertaking in which he is employed. Viscount Cecil of Chelwood drew attention to these mutual suspicions at the Third Labour Co-Partnership Congress held in June 1926. He urged the necessity for combating two tendencies; that of the employers to consider the worker as excluded from any share in the ownership of the undertaking, and that of the workers to regard their labour as representing the sole important factor. He pointed out that the argument that the workers bore no share of the losses was unfounded, inasmuch as the worker, whose security would be destroyed and his livelihood possibly cut off in case the undertaking went out of existence, bore a real share of the risk of loss. It was true that the trade unions were still largely hostile. Nevertheless, actual experience of co-partnership and of a share in management could alone show whether the workers were really capable of carrying on the self-government in industry which they demanded.

Co-partnership legislation must necessarily advance with considerable prudence, and its partisans regard preliminary educational work and an effort at mutual understanding as essential.

During the past year only one important legislative step appears to have been taken. A Bill has been brought forward in *South Africa* by Mr. R. Stuttaford for the purpose of permitting any registered company to issue labour shares to its employees. Such shares make their holder a co-partner in the company to an extent determined by the rules. Co-partners may not withdraw their holdings in case of a liquidation



of the company. The shares are non-chargeable and non-transferable. Dividends are not to be regarded as forming part of the employees' wages or salary. Where a co-partner ceases to be employed by the company his shares are regarded as transferred and their value becomes payable in cash or capital shares to his legal representatives.

In *Great Britain*, where co-partnership has been adopted in a number of undertakings, schemes have been introduced in some cotton undertakings in the West Riding of Yorkshire, and in certain coal mines, particularly the Cannock Chase Colliery Company. A profit-sharing scheme has been drawn up for the Cumberland mines.

At the Third Co-Partnership Congress, Mr. Jeffrey Smith observed that co-partnership had made little progress on the Continent in the past year.

The workers used to seem more attracted by the idea of acquiring some share in the management of undertakings. In the Director's Report to the Conference last year, a summary of legislation adopted or considered during 1924 and 1925 was given. This summary showed that there was a marked tendency to extend the movement. In 1926 no further legislative development has taken place, so far as the Office is aware. In the majority of countries it would even seem that the question is, for the time being at any rate, no longer in the forefront of the workers' interests. Both in *Germany* and in *Austria*, where works' councils Acts were adopted immediately after the war, it is being sought to adapt the regulations to the results of experience rather to attack the reform in its essentials. The workers' efforts in this connection appear to be directed to the strengthening of the position of their representatives on the councils. Criticisms have been directed against the restricted part which is still played by the councils. In countries where the law permitted the councils to participate in the management of undertakings properly so called, e.g. *Austria*, the workers' representatives showed repeatedly that they did not always possess the necessary capacities. It is, however, increasingly evident that an important part in the securing of industrial peace may be played by the councils and that they are in a position to prevent a number of serious problems from arising or to solve them where they do arise. This view was confirmed by the Prussian Minister of Commerce, Mr. Schreiber, who, at Düsseldorf on 4 February 1926, on the occasion of the Industrial Fete Day, pointed out that works' councils represent the best means of collaboration between employers and workers.

*National economic councils*, to which a section of last year's Report was devoted, represent one of the most interesting

experiments of the post-war years. So far from disappointing the hopes of their promoters these bodies have given tangible proof of vitality in at least two countries, viz. *France* and *Germany*. At present the possibility of transforming the system from a temporary to a permanent basis is under consideration. In both countries it is proposed that the economic councils shall continue to act in an advisory capacity and shall not be granted legislative authority.

In *Germany*, the Federal Economic Council has been called upon since its establishment seven years ago to give an opinion on all the important issues arising out of national economic life and also on a number of social questions, e.g. conciliation Orders, hours of work legislation for workers and salaried employees, the position in regard to international conventions, etc.

The Bill for re-organising the Council mentioned in last year's Report has been abandoned in consequence of the considerable changes which were made in it, especially by the Constitutional Questions Committee of the Reichstag and by the Provisional Economic Council itself. The Minister of National Economy published a fresh draft Bill at the end of 1926. Under this Bill the Federal Economic Council would have to give an advisory opinion on Bills concerning industry and labour, to accept responsibility for putting forward such Bills and, subject to the consent of the Government, to carry out enquiries on questions concerning industry and labour. The Government would be entitled to ask the Council for assistance in the application of legislation concerning industry and labour and capital, and particularly in regard to proposals for the reform of certain representative industrial bodies, e.g. the Chambers of Commerce and Industry, the Chambers of Agriculture, etc. Any important legislative measures concerning industry and labour would require, before being brought before the Reichstag, to be submitted to the Council for its opinion. As far as possible the Council would be consulted in drawing up such measures. Its opinion would be communicated to the Reichsrat and the Reichstag at the same time as the Bills themselves. If the Council itself put forward fundamentally important Bills on industrial or social questions, the Government would be required to lay such Bills before the Reichstag though it would remain free to express an unfavourable opinion in regard to them. Provision is made for the appointment of three main permanent committees, each consisting of a maximum number of 21 permanent members, viz. an industrial committee, a labour committee and a financial committee. At the request or with the consent of the Federal Government, a committee of enquiry might be appointed by the executive for special



purposes. The membership of such a committee would be determined by the Government.

The Committee of the Provisional Federal Economic Council appointed to consider the Council's constitution has now completed its discussion on the above Bill. Notwithstanding considerable differences of opinion, agreement has been reached. The principal discussion centred round the question whether the definitive reorganisation of the Council could be carried out independently of the institutions provided for under Article 165 of the Federal Constitution, which are to serve as a basis for the proposed economic organisation and to supplement its activities. A resolution was adopted requesting the Federal Government to examine at the earliest possible date the possibility of completing the system provided for under Article 165 of the Constitution. It is proposed to set up joint committees of employers and workers to discuss questions interesting both parties, from a technical and local standpoint. On the whole the Committee maintained the ideas underlying the Bill. It proposes that the number of members should be 144 instead of 123, viz, 48 for each group, distributed as follows :

#### Group I.

Agriculture . . . . .	12
Industry . . . . .	12
Crafts . . . . .	6
Commerce . . . . .	7
Banking and Insurance . . . . .	5
Transport and Fisheries . . . . .	6

#### Group II. (Workers.)

Total number as for employers.

#### Group III.

Municipal authorities . . . . .	10
Credit and insurance undertakings .	3
Co-operative societies and Union of House-wives . . . . .	5
Agricultural and Industrial co-operative societies . . . . .	4
Daily press . . . . .	2
Public officials . . . . .	2
Professions . . . . .	3
Federal Council . . . . .	9
Federal Government . . . . .	9
Germans overseas . . . . .	1

The above plan will presumably be submitted at an early date to the Federal Council and subsequently to the Reichstag.

In *France*, the National Economic Council set up in virtue of the 1925 Decree held three meetings in 1926. Judging by its heavy agenda, this advisory body is assuming an increasingly important part in the study of general economic questions. The question

of unemployment, to the discussion of which several sittings of the Chamber of Deputies have been devoted, has been dealt with in a detailed report accompanied by suggestions in regard to the immediate steps to be taken and also to the secondary measures to be adopted with a view to ameliorating conditions.

A draft resolution has been brought forward by Mr. Capus and Mr. Serot requesting the Government to introduce a Bill for the setting up of a national economic council. Such a Bill would involve the transformation of the existing body and the increasing of its efficiency, e.g. by securing effective representation for agriculture. According to Mr. Capus there can be no question of granting any kind of legislative authority to the Council : its functions must remain purely advisory. Mr. Poincaré, in a speech which he delivered at the opening of the last meeting of the Economic Council, drew the attention of its members to the necessity of establishing it on a permanent basis, in the following passage :

"Thus, the experiment to which Mr. Herriot's report of January 1925 to the President of the Republic referred, has been entirely successful. Legislation must now be adopted with a view to giving it a permanent character. Under the Finance Act 1926 it was provided that the National Economic Council should be definitely constituted by legislation. Hitherto yours has been one of those provisional bodies which every day acquire fresh rights to immortality. Your final constitution has not yet been established, but there is general satisfaction with the manner in which you have stood and are standing the test. It will soon be necessary to adopt legislation for the purpose of organising the Council on solid foundations, of defining its activities precisely and determining the exact part which it is to play within the Republican constitutional system as a whole."

Thus, as in last year's Report, the Office notes that these institutions have continued to develop. It is of course still too early to attempt to draw conclusions in regard to the methods to be adopted in the future. This much at least is certain, that the activities of such bodies are arousing an ever increasing interest.

#### *Intellectual workers.*

210.—No doubt the time has come when room must be made for intellectual workers among the classes of workers who require special protection. Of course, it is difficult in some instances to define intellectual workers exactly and to ascertain where they differ entirely from employees or even from manual workers. But the right of the International Labour Organisation to deal with them is no longer disputed ; and certain measures of organisation are opening the way for international action in connection with them, action which, it



cannot be too often repeated, is indispensable.

In consequence of the crisis which affected a considerable number of countries after the war, the economic and social position of intellectual workers, far from improving, has in many instances become worse. In the first place, the budget cuts made by Governments and other public authorities were carried into effect by reductions in the wages of intellectual workers employed in the public services and by the dismissal of considerable numbers of them. In the second place, intellectual workers who are not employed in the public services have largely been affected in their incomes by the changes which have taken place in the tastes and requirements of the public. The material anxieties of the post-war period have resulted in a diminution in the demand in certain fields for intellectual work and the workers in these different branches of activity have been powerless in face of this situation either because they are prevented by the individual character of their work or because they have themselves not realised the advantages of organisation.

Another important factor in this disturbing situation is the over-production of intellectual workers in almost all countries. The number of university students has been constantly increasing, and in some countries it is ten times what it was before the war. New universities have been founded, more particularly in the new States created since the war, and the possibilities of intellectual workers emigrating to and establishing themselves in foreign countries have consequently been considerably lessened. The result has been increased unemployment, which has caused intellectual workers to accept positions which have no relation to their training. Nor has the situation been adequately remedied by such necessarily fragmentary measures as the finding of employment for Russian refugees, students or graduates, as agricultural workers in Canada or South America.

To get a clear idea of the situation it would be first of all necessary to institute an international enquiry into the conditions of work in the different occupations of intellectual workers in the various countries. An enquiry of this kind naturally could not be properly conducted in a short space of time or without careful preparation. The Office can hardly do more for the moment than continue its method of investigations in particular fields, but the investigations it has already made on musicians, engineers and journalists might be supplemented by investigations on theatrical artists, cinema artists, etc.

Any such investigations must be based on adequate statistics of the present unemployment. So far, however, government statistics give very little space, if any, to

unemployment among intellectual workers, and the information which is derived from unofficial sources such as the employment exchanges organised by different associations is not very satisfactory. As soon as the situation of the labour market for intellectual workers has been clearly ascertained, it would be desirable to take measures to organise in the universities and even for students before they enter the universities vocational guidance offices which would regulate the number of students for the different occupations according to the demand which may be anticipated for the next ten years. It would also be desirable to endeavour to balance supply and demand in certain occupations on international lines.

The action taken by the Office naturally can only be effectual if intellectual workers formulate a clear programme of their requirements, and if they follow to some extent the example of manual workers by creating strong and well-disciplined organisations which are capable of rousing public interest and exercising on the authorities the influence necessary for securing the improvements they ask for. The Office's rôle is restricted to scientific research, and the initiative in the direction of international legislation must come from the persons concerned.

It may be remembered that the Office has undertaken an enquiry into the living and working conditions of journalists at the request of the Association of journalists accredited to the League of Nations. In September last a preliminary study was published in typescript, based on the first replies to the questionnaire drawn up by the Office.

As a matter of fact, it is clear that intellectual workers are actively organising themselves, and the last two or three years have seen noteworthy progress in this direction. A number of international associations have been started in connection with particular occupations. In 1926, for example, the International Federation of Journalists was founded, and its first general congress, attended by representatives from 13 countries, was held at Geneva last September. The general organisation, the International Confederation of Intellectual Workers, has been rapidly extending its membership. This organisation perhaps still suffers from certain defects which are common to all young organisations, and it has not yet perhaps attained in its methods of organisation to the clearness and simplicity which is desirable in an association for the defence of trade interests or to that degree of comprehensiveness which confers undisputed authority on organisations of this kind: but none the less it is making rapid progress. It is true that it still lacks the support of some important countries such



as Germany, but it anticipates for its next congress a number of fresh adherents which will swell its membership and to a large extent fill the gaps in its framework.

The progress which has been made during the last few years in the international organisation of intellectual workers is producing a result which is of special interest to the Office. It is bringing more to the front the problems which could hardly be solved by measures restricted to isolated countries and which can only be dealt with internationally. Enquiries have been made with the new associations to find out which of the questions in which their members are specially interested could be solved by international action. Such problems include, for example, the problem of finding employment for theatrical artists, the question of the notice and compensation to be given on the dismissal of journalists, and the problem of sickness and old age insurance for the different categories of intellectual workers. The gaps in the programme of requirements to which reference was made above are thus being gradually filled in. Thanks to the new methods of investigation which the grouping of intellectual workers on an international basis makes possible, numerous problems which have been undefined and imperfectly known up to the present are being put in the forefront and are assuming the form of more and more definite claims. Of course, this programme is still in the stage of being formed, but the development which has taken place in it in the course of a year warrants the anticipation that intellectual workers will soon find themselves face to face with a certain number of questions which have been carefully studied and for the solution of which international action will be necessary.

### *Cooperation.*

211.— In previous Reports an account has been given of the progress made by co-operation in its different forms during recent years. It was shown how important the movement was in raising the material and moral level of the workers. The benefits which the industrial and agricultural working classes derive from co-operation do not consist merely in material advantages — the educative value of co-operative institutions, the untrammelled initiative which gives them birth and the self-imposed discipline which their success requires are all equally important.

For the very reason, however, that the development of the co-operative movement derives its essential force from a painstaking

work of education, its progress, like every form of growth, can only be seen and estimated over a certain period of time.

It would consequently be idle to repeat, with figures differing slightly from those given last year, the review of the changes which have taken place during the last ten years in the spread of the co-operative movement. At the same time, it is thought that in view of the meeting of the International Economic Conference it is desirable to draw attention to the important though not always well-recognised part played by co-operative organisations in international trade, both from the producers' and consumers' points of view. In the case of certain products such as corn and dairy produce, and also to some extent in the case of other agricultural products such as fruit, eggs, etc., co-operative organisations have already undertaken international business on a large scale, whether through consumers' wholesale co-operative societies or agricultural co-operative export societies.

In Great Britain, for example, whose wheat consumption is responsible for one-fourth of the international trade, the British Consumers' Co-operative Wholesale Society carries out almost one-sixth (15.5 per cent.) of the importing trade. In Canada, on the other hand, whose wheat exports amount to more than one-third of the whole international trade, two-thirds of the export trade is carried out through wheat pools acting in common. Mention must also be made of an important event in the history of world economy — the meeting in February 1926 of an international conference of delegates of wheat producers' sales co-operative societies of Canada, the United States, Australia, and representatives of the *Centrosoyus*, the General Union of Russian Co-operative Societies.

In the case of dairy produce, the co-operative societies in the principal exporting countries are responsible for most of the production, and, as a rule, have also charge of the organisation of the export trade. A comparison may be made, although a distinction should be drawn, between these large co-operative associations linking rural and industrial communities for the organised fulfilment of their requirements, whether in regard to sales or supplies, and the large international manufacturing associations.

Nor should the growing tendency towards the establishment of direct and organic relations between consumers' co-operative societies and agricultural sales societies be overlooked. Among instances of international relations of this kind may be quoted the advance of £3,167,000 by the British Co-operative Wholesale Society's bank to the Western Australian Wheat Producers' Sales Association, as well as the creation in 1924 by the Co-operative Wholesale Society and the New Zealand Producers'



Co-operative Association of a mixed society for the sale of New Zealand dairy produce in Great Britain. There can be no doubt but that the success attending the simultaneous and parallel efforts of consumers' co-operative societies and agricultural sales societies is laying the way for a very effective method of organising international exchange, at least in the case of certain products.

Satisfaction was expressed last year at the presence of two co-operators — Frau Freundlich (Austria) and M. A. Örne (Sweden) — on the Preparatory Committee for the International Economic Conference. Recognition was also accorded to the co-operative movement when the Government delegates to the Conference were being

appointed. It must a source of the keenest satisfaction to co-operative organisations, whose sympathy for the institutions of the League of Nations has always been in evidence, that the Council of the League, in execution of its right to make further appointments to the Conference, has appointed an additional member to be nominated by the International Co-operative Alliance. It will thus be possible for co-operators to give the Conference the benefit of their conceptions of organisation, equity and harmony in economic relations, as well as to draw public attention to their efforts to bring together and unite town and country workers in order to ensure mutual respect for their working and living conditions.



## GENERAL CONCLUSIONS.

212. — It must now be asked what will be the general impression which the delegates will receive from the above Report, and what will be the judgment of the States Members on the work which is being done by the institution which they have set up, and on the vitality of the Organisation.

The International Labour Office has now been in existence for seven years. It is time to consider whether they have been, in the words of the Bible, seven fat years or seven lean years.

It is not necessary, at the stage which has now been reached, to consider what is the structure of the International Labour Organisation; it is not necessary to explain the original scheme underlying the organisation of the Office or the events which have led to its modification and revision. It is still possible to discuss the advantages and disadvantages of the specialisation of members of the staff, and the necessity of centralising some of the services and grouping them under a single head. In practice, however, the Governing Body now regards the general lines of the Organisation as having been finally settled and considers that they should not be changed. It is probable that in future further justifiable claims will be put forward by nationalities which are not represented or are insufficiently represented among the staff. The staff itself may still feel a certain amount of anxiety as regards its security or its prospects of future promotion. In effect, however, the main problems of the organisation of the Office are now settled. The Office is now firmly and solidly established, its whole energies are absorbed by the work which has to be done, and it works smoothly and regularly in the discharge of its functions.

In the passage of last year's Report which dealt with the progress made in the collection of international information, it was said that the Office had still to organise its work in a more satisfactory way and lay down a more definite scheme of research. Since then fresh efforts have been made, and it is thought that the Office has succeeded in reconciling the

requirements of up-to-date information with those of scientific research. One proof of the importance which is attached to the work of the Office in this field is the spontaneous readiness with which the Governments and public departments reply to questions from the Office. Although there is a certain amount of almost inevitable delay, the mutual exchange of information renders services which are more and more appreciated every day.

Moreover, since international institutions are based principally on the desire of the nations to realise the ideals to which they have all subscribed, and since international labour legislation cannot be properly established and enforced without the assistance of the employers' and workers' associations, the Office feels pride and satisfaction in the fact that it has retained and increased the sympathy and co-operation of those bodies without which all its work would be barren and lifeless.

It cannot be denied that a considerable measure of success has been attained. It is true that the value of some of the work of the Office is hard to measure. It is almost impossible to estimate the practical effects of scientific research, or to show how much good the Office has done when it has supplied information about new social experiments and led others to imitate them. Again, it is almost impossible to estimate precisely what results have been produced by international Conventions which inspire fresh legislation even in those countries which have not ratified them.

It is, however, only necessary to take the paragraphs of the present Report one by one and to extract from them that which is positive and incontestable. The number of ratified Conventions has risen from 194 to 229. The Hours Convention is beginning to emerge from the silence and obscurity in which it was wrapped, and is attracting the attention of Governments and Parliaments in the great industrial countries, one of which has indeed ratified it unconditionally. Thousands of workers in the baking industry are already, thanks to the rati-



fications which have taken place up to the present, enjoying the nightly rest which the International Labour Conference endeavoured to ensure for them. The evil of unemployment is alleviated by the measures proposed at Washington. The Japanese seamen have written to the Office to express their satisfaction at having a proper system of joint employment exchanges set up at last under a ratified Convention. Many emigrants, although they are perhaps unaware of it, are benefiting by the work of the Office in supplying information, and are obtaining the same safeguards and benefits as national workers. 35,000 Russian or Armenian refugees, all of whom were unemployed, and many of whom were without means, have been found positions or have been established as independent peasants by the Refugees Section. Thousands of house painters have been protected from the terrible consequences of lead poisoning, and workers in the match industry are saved every year from necrosis. Working women in numbers of countries are entitled to a rest period and to maternity benefit before and after the birth of their children. Common action is being taken by men of goodwill to provide healthy and happy conditions for seamen on shore. Agricultural workers in remote rural districts are enabled by one of the Recommendations of the Conference to live under proper conditions instead of having to sleep on the straw in stables. In the Far East India and Japan are gradually building up a structure of legislation founded on the firm basis of the international Conventions. Far away in Africa native labourers are protected from forced labour, provided with proper sanitary conditions and fairly remunerated for their labour because the representative of the Office on the Mandates Commission and the Slavery Committee has, in the discussion of each report, untiringly drawn attention to the principles of humanity and civilisation. As the year draws to a close the responsible chiefs of the International Labour Office are thus able to await the judgment of the Conference on their work without undue anxiety. In the words of the Labour Charter they have been able to "confer lasting benefits upon the wage-earners of the world".

At the same time, it is impossible not to realise the immense gulf which separates what has been achieved from what was hoped in 1919, when mankind for a brief moment rose to heights unknown before. At that time, immediately after the great catastrophe of the war, an effort was made to organise human life on a basis of solidarity and peace, and the nations collaborated with one another in setting up a new structure. At that time almost everyone cherished the illusion that international life would at once come into being and that a new era was on the point of beginning.

The reality is not what was then supposed. International institutions can only establish themselves by long, obstinate and patient efforts. This has been the experience of the League of Nations as regards international security and disarmament. The apprehensions and anxieties which have been deeply rooted in the heart of mankind by centuries of war cannot be uprooted all at once. The sovereign States are still inclined to rely on themselves for securing the necessary guarantees of security. The same is true in the sphere of social progress.

The weakness, although from another point of view the strength, of the fundamental principle of the League of Nations resides in the fact that the powers and rights which it needs to carry out its mission can only be conferred upon it by the free consent of the sovereign States. This fact was once again illustrated by the advisory opinion which the Permanent Court of International Justice gave in June 1926 on the question of night work in bakeries. In endeavouring to define the competence of the International Labour Organisation the Court justly pointed out that according to Part XIII of the Treaty the High Contracting Parties expressly reserved and maintain fully and entirely their individual legislative power as regards the enforcement of national and international measures. The competent authorities of the countries to which the Draft Conventions and Recommendations adopted by the Conference are submitted are absolutely free either to accept or reject them.

Both in law and in fact the International Labour Organisation, like the League of Nations, is an association of States, and the States join in its work to such an extent as they themselves decide. Their direct and constant collaboration is the necessary condition of the work of the Office. The problem which constantly has to be considered is thus that of finding means to overcome the hesitations of the sovereign States and to obtain their voluntary adhesion. It may be asked what is the reason for such hesitation on the part of the States Members, and why their original desire for mutual agreement appears to have ceased or to have become weaker.

It has already become a tradition in the years which have elapsed for reasons of internal policy and economic reasons to be adduced as an obstacle in the way of ratification. It has already been pointed out that questions of internal policy vary from one country to another and are often of an ephemeral character. Mr. Renner, President of the Association for Social Progress, made perhaps too absolute a generalisation when he spoke at Montreux of a period of reaction. The desire for social justice in the modern world retains its force sufficiently to survive changes of government or political system.



Economic considerations are of a more serious character. In the present Report, as in those which have preceded it, the Director has pointed out that in the discussions which have taken place on the Hours Convention both employers and Governments have referred to the far-reaching disturbances which have taken place in the economic life of the world, the uncertainty of many countries as to the future and the consequent impossibility of entering into undertakings of long duration in the social field. Some have indeed said that the crisis was permanent, thus refusing to hold out any hope of ratification even in the distant future. In opposition to this view it has however sometimes been pointed out, even by the employers themselves, that the very object of the International Labour Organisation is to place certain minimum standards of labour conditions universally recognised as just and humane above the influence of economic crises. It has further been pointed out that, in accordance with the spirit of the Peace Treaty, the international Conventions adopted by the Conference make allowance for differences of climate, tradition and methods of production in the various industrial communities.

Moreover, as the Director has endeavoured to show in the present Report (paragraph 106) the financial, industrial and commercial position is surely showing a gradual tendency towards improvement. There are important movements in favour of the organisation of the European economic system, more harmonious relations between the New World and its debtors in the Old World, and the rationalisation of industry with a view to increasing production. Surely the improvements which will result from these endeavours ought to lead to an increase in ratifications, and this improvement, it may be hoped, will be hastened by the International Economic Conference, which will alleviate some of the difficulties which weigh upon the countries which have suffered most severely<sup>1</sup>.

Even if, however, no regard is had to the ultimate political and economic reasons, justified or illusory, which cause the States Members to hesitate, it may be asked whether no imperfections exist in the machinery and working of the International Labour Organisation. Possibly there may be obscurities and legal ambiguities in Part XIII of the Treaty of Peace. Again, it may be asked whether the Organisation which was set up in 1919 is really adapted to the conditions of modern international life, and whether it is not the failure to adapt itself which retards its work.

This is the question which Mgr. Nolens, perhaps somewhat bluntly, but very

pertinently, asked in the extremely suggestive and important speech which he made after his election to the Chair of the Eighth Session of the Conference. He drew attention in particular to the real effect of Article 405 and the meaning which might be attributed to it. He even went further in his endeavour to suggest remedies, and he laid special stress on the means of obtaining that simultaneous ratification which appears to be necessary in order to remove the anxieties of the States Members. In the Director's view, he thus put his finger upon the most important question which has to be considered at the present time.

In the case of certain measures of obvious advantage which do not appear likely to impose excessively heavy social burdens, the States Members, in their desire for humanity and justice, frequently consent to bind themselves without first considering whether their neighbours will do the same. In the case, however, of the most important Conventions, those which, like the Hours Convention, most profoundly affect conditions of labour, they are showing an increasing tendency to require full assurance not merely that their neighbours will also ratify, but also that they will apply the Conventions with equal strictness and even according to the same methods of detail.

The problem is how to obtain simultaneous ratification and how to give the States Members the preliminary guarantees which they desire. Mgr. Nolens considered the various possible means; conditional ratification, special conferences between States Members which give one another mutual undertakings although without changing the Convention, amendment or modification of Conventions which still remain unratified, and finally, if all these remedies prove ineffective or inadequate, the amendment of Part XIII of the Treaty under Article 422.

Mgr. Nolens fully realised the gravity of the question. He suggested that a special committee might be set up to consider the position, and he noted that the matter could not be dealt with rapidly but would require long consideration.

The Director agrees with the distinguished President of the Eighth Session that these questions are of the utmost importance. The legal service of the Office has been asked to study them. Still more could be done if a certain number of legal experts who were devoted to the cause of international labour legislation would give their assistance.

The Director, however, may put forward a few observations based upon his practical experience. In the first place it, may be asked whether the apprehensions of the States Members are as fully justified as is generally assumed, and whether the preliminary mutual guarantees which they are thinking of requiring are really urgently necessary. It is a curious fact that in

<sup>1</sup> C.f. The conclusions of last year's Report.



all the discussions and controversies which have centred round the question of the eight hour day, for example, it has appeared that international competition in a particular industry is very rarely due to any inequality of conditions of labour.

In reality, the instability of the various currencies in recent years, the fluctuations of the exchange rate and of prices and the customs duties imposed have played a much more important part than inequalities in labour legislation. There is probably only one instance of a position of this kind being mentioned in the International Labour Conference. The textile industry of Japan was stated to be endangering that of India because of the longer hours worked.

It is only in recent months that similar preoccupations appear to have been aroused in Europe in connection with the burdens of social insurance. The International Labour Office will endeavour to investigate this question on a scientific basis. It is not, however, thought that the assertions which have so far been made really show that sufficient disproportion exists between the great industrial countries to constitute a menace for those which are most advanced.

As a matter of fact, if divergencies between conditions of labour in the various countries in particular respects had urgently compelled the various countries to protect themselves against dangerous competition, the development of the International Labour Organisation would perhaps have been more rapid. The vague apprehensions which retard the decision of the States Members are perhaps simply due to the fact that the evils which they fear do not exist. Possibly, in the last resort, the whole system of international Conventions which sprang from the traditions and precedents of the pre-war period corresponded to conditions of international competition which no longer exist to-day in precisely the same form.

Even, however, if the apprehensions which exist are based upon illusions and appearances, the fact that they arouse uneasiness among the Governments and the public makes it necessary for the Office to reckon with them in its constructive efforts. It is necessary to follow Mgr. Nolens' suggestion and to see whether there are means of removing the illusions and calming the anxieties which exist, and thus obtaining the ratification of the Conventions.

Mgr. Nolens mentioned conditional ratification. The disadvantages and dangers of this method have several times been pointed out in the Director's Report to the Conference. At the same time, the use of conditional ratification, limited to a few important industrial countries to which simultaneous ratification seems indispensable, appears to have had undoubted practical value in the case of the Hours Convention.

A cognate question is that of special conferences of Governments, such as those which were held at Berne and London. These Conferences did not in any way affect the procedure of mutual supervision set up by the Treaty of Peace, but they enabled certain countries to give one another the mutual guarantees which they believe to be necessary. Here again, precautions must obviously be taken. If conferences of this kind claimed not only to establish an agreed interpretation of a few obscure points, but to settle in advance and in great detail all questions relating to the application of the Conventions, they would lead to results exactly the opposite of those desired.

It should be remembered that the possibility of revising and amending Conventions is definitely mentioned in the Conventions themselves. All the Conventions include the following uniform clause: "At least once in ten years the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification". It is better to agree to amendments, even in a Convention which is considered to represent important progress, rather than to resign oneself to never having it ratified, and to remain in helpless admiration before provisions which correspond to ideal justice but which are not applied. On these points again, however, it is surely necessary to proceed patiently and with prudence in the first experimental years when international life is only beginning to feel its way. The period of ten years mentioned in the Convention will soon have elapsed. If the fragile structure of the first ratifications is not endangered, and if indeed it can be further built up so that it is possible to see more clearly the defects and imperfections of the original plan, the work of revision or amendment could be carried out in a more satisfactory way.

The final suggestion made by Mgr. Nolens was the amendment of the Treaty of Peace itself. The machinery for such amendment also exists. The Director, however, does not feel so certain that fresh progress could be achieved by this method. There is no guarantee that the Treaty could be amended without very considerable delay. It is necessary to bear in mind the unfortunate example of the amendment of Article 393 of the Treaty of Peace, which has not yet been ratified by the requisite number of countries.

To conclude: the events of the last year appear to show that what has been done in the way of conditional ratification and special conferences between Governments, together with the possible use, at the proper time, of the procedure for amendment or revision, may, if prudence



is used, make it possible to overcome whatever difficulties may be involved in the present system of Conventions. The constitution of the International Labour Organisation may prove to be like the constitutions of certain great countries, which are rarely or never formally amended, but which are gradually enriched by new practices which give them more elasticity and enable them to adapt themselves day by day to the development of the society which they govern. With a little patience and a little ingenuity, the scheme devised by the negotiators of the Treaty of Versailles on the basis of thirty years' experience will probably, even in the most adverse circumstances, produce all the results expected of it.

The Director is, however, more and more strongly convinced that, even if that system should prove to be definitely unsuitable for post-war international conditions, the International Labour Organisation would none the less continue to increase in influence.

As the Preamble to Part XIII of the Treaty indicates, the objects in view are two-fold: to protect the various countries against unfair competition based on the exploitation of the workers, and also, directly and spontaneously, to enable the workers to enjoy a higher standard of living and work. The aim is not merely to create a balance between different countries, but also to give just treatment to individuals. Even if the first object has lost some of its force, the second is as important as ever. Whatever may be the vicissitudes of political life, and however much the tide of the labour movement may ebb and flow in the industrial communities of the world, the need for social justice continues to be strongly felt.

There is at the present time no country which refuses to afford the protection which the position of the workers demands. There is no country which is not endeavouring to promote social justice. Thus the International Labour Organisation, which is the trustee of the Labour Part of the Peace Treaty, has for the last seven years, by the very fact of its existence and by its steady work, centralised the experience acquired in the various countries, supported progressive action, stimulated and co-ordinated the entire movement for social progress, and, consequently, acquired a moral authority which

is inadequately represented by the statistics of ratification.

Nothing is more consoling, in the midst of the difficulties which are encountered, than to see with what confidence the appeals and recommendations of Geneva are received, particularly in the newer industrial communities. There is nothing more encouraging than to see how much influence is exercised on public opinion and on Government action simply by drawing attention to the principles laid down in the Labour Part of the Treaty. Much can be done in this way, even apart from the Conventions, to bring about reforms which have been too long neglected or delayed. Possibly fresh opportunities for action of this kind might be created and new methods used. In any case, effective methods of this kind are already being devised, and the influence thus exercised will gradually assist in the realisation of social justice. In the new atmosphere which will thus be created in coming years the system of ratification will, it may be hoped, be fully applied with an ease and facility which it is now difficult to conceive.

The Office will be greatly helped in its efforts towards this end by the increasing force which considerations of morality and civilisation are beginning to exercise in all countries. Now that the wage-earners in the great industrial countries are determined to defend the short working day in order that they may be able to cultivate their minds, — now that all classes of workers are trying more and more to improve their material position so that they may assert their dignity as men and citizens, — now that the associations for promoting social progress are trying to build up an *élite* among the workers, — now that in all countries the desire for a higher civilisation is becoming the motive force of social progress, the International Labour Organisation can contemplate the future without anxiety. Whatever economic difficulties may exist, whatever fears and apprehensions may have been inherited from the wars of the past, the destiny of the Organisation will find the way to its fulfilment. *Fata viam inveniunt!*

Geneva, 30 April 1927.

ALBERT THOMAS.



## APPENDIX.

## Bibliography of the International Labour Organisation.

This bibliography is in continuation of those published in previous Reports. It contains a list of publications which have come to the notice of the Office since last year's Report.

## ARGENTINA.

- ANTOKOLETZ Dr. Daniel : Manual teórico práctico de la Liga de las Naciones. Buenos Aires, 1926, 348 p.
- BUENO Javier : L'élargissement du Conseil d'administration du Bureau international du Travail. *Le Courrier de la Plata*, Buenos Aires, 7. 12. 26.
- BUENO Javier : L'Amérique latine et l'Organisation internationale du Travail. *Courrier de la Plata*, Buenos Aires, 7. 12. 26.
- LAUZET Luis : Una creación obrera (el Organismo internacional del Trabajo). Su obra y su porvenir. Buenos-Aires, 1926, 234 p.
- \*\*\* : La Labor de la Oficina internacional del Trabajo. *La Vanguardia*, Buenos Aires, 2. 7. 267.
- \*\*\* : Crónica Informativa del Ministerio del Interior. — I. Informe sobre el fallo de la Corte de Justicia internacional sobre el trabajo nocturno en las panaderías. II. Informe del delegado sobre las obligaciones que comportan para un país la ratificación de los convenios. III. Informe sobre el nombramiento de los delegados obreros. — Buenos Aires, noviembre 1926.
- \*\*\* : Desde Ginebra — Albert Thomas habla, por intermedio de LA RAZON, a los lectores de la Argentina. *La Razón*, Buenos Aires. 10. 11. 26.
- \*\*\* : La Conferencia internacional del Trabajo — La actuación argentina en las sesiones celebradas en Ginebra. *La Razón*, Buenos Aires, 17. 11. 26.

## AUSTRALIA.

STEAD'S REVIEW : Editorial endorsing International Labour Conference, December 1926.

## AUSTRIA.

STEINIG L. : Die Arbeitsverhältnisse in Palästina. Aus dem Bericht des Internationalen Arbeitsamtes an die achte Internationale Arbeitskonferenz in Genf. *Wiener Morgenzeitung*, Nr. 2505, v. 26. 5. 1926.

## BELGIUM.

DRECHSEL MAX : Le Traité de Versailles et le mécanisme des conventions internationales du travail. Préface de M. Albert Thomas. *L'Eglantine*, Bruxelles, 1926.

## BULGARIA.

- Dr. KESSIAKOFF B. D. : Prinos kam diplomaticheskata istoria na Balgaria (Data for a diplomatic history of Bulgaria). 3 vol. 1925-26, Sofia, p. 256-261, 151-211.
- MOCHANOFF ST. : Mejdounarodnata organizatsia na trouda. (International Labour Organisation) *Demokraticheski Pregled*, June 1926, Sofia, p. 310-318.
- NICOLAIEW N. : Mejdounarodnoto zakonodamelnstvo na trouda. (International Labour Legislation) *Obchestvena Misl*, May 1926, Sofia, p. 310-316.
- NICOLOFF Dim. : Mejdounarodnata organizatsia na trouda ; 8 i 9 sesia na obchtata konferentsia. (8th and 9th Sessions of the International Labour Conference). *Arkhiv za stopanska i sotsialna politika*, n° 5, 1926, p. 492-508.
- YANOULOFF I. : La législation sociale en Bulgarie. Collection *La Bulgarie d'aujourd'hui*, 1926, Sofia, 48 pp.
- \*\*\* : Bejantsite i usloviata na trouda v Balgaria. (Refugees and conditions of labour in Bulgaria: Report of the I.L.O. Translation and preface by Dim. Nicoloff). 1926, Sofia, 44 pp.



## CANADA.

- CANADIAN MANUFACTURERS' ASSOCIATION : Account of Eighth and Ninth Sessions of the International Labour Conference. *Industrial Canada*, August 1926.
- DEPARTMENT OF LABOUR : Account of the Eight and Ninth Sessions of the International Labour Conference. *Canadian Labour Gazette*, July, 1926.
- DEPARTMENT OF LABOUR : Inauguration of the International Labour Office new building. *Canadian Labour Gazette*, July 1926.
- DEPARTMENT OF LABOUR : Visit to Canada of the Deputy Director of the International Labour Office. *Canadian Labour Gazette*, November 1926.
- EASTMAN, Mack : The International Labour Office. *Canadian Congress Journal*, February 1926.
- LEAGUE OF NATIONS SOCIETY : Account of the new building of the International Labour Office. *Bulletin*, June 1926.
- MOORE, Tom : The International Labour Conferences of 1926. *Canadian Congress Journal*, August 1926.
- STEVENSON, D.A. : Canadian Officials and the Work of the International Labour Office. *University of Toronto Monthly*, December 1926.
- WHITTON Charlotte : Canada and Child Labour Conventions. *Social Welfare*, August 1926.

## CHILI.

- FABRA RIBAS, A. : Alberto Thomas y los pueblos iberoamericanos. *El Mercurio*, 1. 3. 26.
- MOLINA NUNEZ, Julio : El Sr. Alberto Thomas y su última visita a Chile. *El Mercurio*, Santiago.
- PROBLETE TRONCOSO, Moisés : La organización sindical en Chile y otros estudios sociales. *Ministerio de Higiene, Asistencia, Previsión y Trabajo*. Santiago de Chile, 1926, 194 p.
- SILVA, Jorge Gustavò : El aspecto internacional de los problemas del trabajo. Santiago, 1926, 23 p.
- SILVA, Jorge Gustavo : Los tratados del trabajo. Santiago, 1926, 30 p.

## CUBA.

- \*\*\* Los acuerdos tomados en la VII Conferencia. *Acción socialista*, La Habana, 10. 6. 26.
- \*\*\* La Conferencia internacional del Trabajo. *El Socialista*. La Habana, 10. 3. 26.

## CZECHOSLOVAKIA.

- DRBOHLAV, J. : Činnost M. U. P. v období mezi 6. a 7. Konferencí práce. (The work of the I. L. O. between the 6th and the 7th Sessions of the I. L. C.). *Sociální Revue*, No. 1/1926.
- FERNEGG, R. : Die VIII. internationale Arbeitskonferenz. *Mitteilungen des deutschen Hauptverbandes der Industrie*, No. 24/1926.
- FERNEGG, R. : Die neunte internationale Arbeitskonferenz. *Mitteilungen des deutschen Hauptverbandes der Industrie*, No. 27/1926.
- JANKO, J. : Třetí mezinárodní Konference statistiků práce. (The Third International Conference of Statisticians). *Sociální Revue*, No. 6/1926.
- KOSE, J. : Letošní Mezinárodní Konference práce. (The 1926 I. L. C.). *Věstník c. zemed. akademie*, No. 8, 1926.
- LINHART, J. : Nedostatečné ratifikování mezin. Konvencí práce. (The ratifications of the International Labour Conventions). *Nová Svoboda*, No. 26/1926.
- MACH, H. : Výsledky VIII. a IX. Mezinárodní Konference práce. (The results of the 8th and 9th Sessions of the I. L. C.). *Sociální práce*, No. 6-7, 1926.
- PRIBRAM, K. : Sociální filosofie mírové smlouvy. (Social Philosophy of the Treaty of Peace). *Sociální Revue*, No. 2/1926.
- ŠTEFKA, F. : VIII. mezinárodní Konference práce. (The 8th Session of the I. L. C.). *Odborové sdružení csł.*, No. 17-18/1926.
- TELTSÍK, R. : Proč váhá Československo ratifikovati námořní konvence. (Czechoslovakia and the maritime Conventions). *Nova Evropa*, 26-3/1926.
- TELTSÍK, R. : Výsledky dvou letošních konferencí práce. (The results of the last two I. L. C.). *Nova Evropa*, 31-7/1926.
- TELTSÍK, R. : Osmá a devátá Mezinárodní Konference práce. (The 8th and 9th Sessions of the I. L. C.). *Zahranicní politika*, No. 15 and 16, 1926.
- VANĚK, J. : Osmá Mezinárodní Konference práce. (The 8th Session of the I. L. C.). *Průmyslový Věstník*, 19-6/1926.
- VANĚK, J. : Die achte internationale Arbeitskonferenz. *Observer*, 22-6/1926.
- \*\*\* : Mezinárodní organizace práce a sociální pojištění. (The I. L. O. and Social Insurance). *Institut social*, Prague, 1926, p. 47.

## DENMARK.

- BRÜEL, Erik, Indvielsen af Det internationale Arbejdsbureau's nye Bygning (Inauguration of the new building of the International Labour Office). *Social Tidsskrift*, published by care of the Ministry of Social Affairs, No. 6, 1926. København.
- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : Arbejdstidskonferencen (The London Conference on Hours of Work). *Arbejdsgiveren*, 1926, p. 95. København.
- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : 8-Timers Arbejdsdagen ude og hjemme — 8-Timersdagens internationale Traengsler (The 8-hour day abroad and in Denmark ; the difficulties of the international 8-hours day). *Arbejdsgiveren*, 1926, pp. 233, 240.



- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : Den internationale Arbejdsorganisation (The International Labour Organisation). *Arbejdsgiveren*, 1926, p. 115.
- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : Det internationale Arbejdsbureau (The International Labour Office). *Arbejdsgiveren*, 1926, pp. 75, 140, 236, 245, 297, 325.
- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : Den Internationale Arbejds-konference (The International Labour Conference). *Arbejdsgiveren*, 1926, pp. 172, 183, 196, 205, 209, 212, 297.
- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : Rigsdagen og de internationale Konventioner (The Rigsdag and the International Labour Conventions). *Arbejdsgiveren*, 1926, pp. 130, 317, 326, 343, 355.
- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : Nordisk socialt Møde (Northern Socio-political Conference). *Arbejdsgiveren*, 1926, p. 343.
- DANSK ARBEJDSGIVERFORENING (Danish Employers' Federation) : Klar Besked om Washingtonkonventionen m.m. (Attitude of the Danish Employers' Federation towards the Washington Convention on Hours of Work). *Arbejdsgiveren*, No. 7, 1927.
- DE DANSKE DELEGEREDE (The Danish Delegates) : Beretning. Den VIII internationale Arbejds-konference i Genève 1926 (Report on the Eighth Session of the International Labour Conference, Geneva, 1926). *Socialt Tidsskrift*, published by care of the Ministry of Social Affairs, II Aargang No. 9, September 1926, Afdeling C. København, 1926.
- DE DANSKE DELEGEREDE (The Danish Delegates) : Beretning. Den IX internationale Arbejdskonference i Genève 1926 (Report on the Ninth Session of the International Labour Conference). *Socialt Tidsskrift*, II Aargang No. 9, September 1926. Afdeling C. København, 1926.
- DE SAMVIRKENDE FAGFORBUND I DANMARK (Danish Confederation of Trade Unions) : Den 8. internationale Arbejdskonference (Eighth Session of the International Labour Conference). *Arbejderen*, 23. Aarg. No. 7-8. København, 1926.
- DE SAMVIRKENDE FAGFORBUND I DANMARK (Danish Confederation of Trade Unions) : Sømands-spørgsmaalene paa den internationale Arbejdskonference (Seamen's questions at the International Labour Conference). *Arbejderen*, 23. Aarg. No. 6.
- DE SAMVIRKENDE FAGFORBUND I DANMARK (Danish Confederation of Trade Unions) : Den 9. Internationale Arbejdskonference (Ninth Session of the International Labour Conference). *Arbejderen*, 23. Aarg. Nos. 12, 14, 15.
- DE SAMVIRKENDE FAGFORBUND I DANMARK (Danish Confederation of Trade Unions) : Arbejds-tiden i Skibsfarten (Hours on board ship). *Arbejderen*, 23. Aarg. No. 23.
- GERFALK, AXEL : Genève og Skibsfarten. (Geneva and the Shipping Industry). *Dansk Søfarts-Tidende* (Danish Shipping Gazette), 1926, pp. 399, 483. København.
- SCHOU, P. : Den internationale Arbejdsorganisation (The International Labour Organisation). *Nationernes Samfund*, København, Martins Forlag, 1926.
- SOCIALMINISTERIET (Ministry of Social Affairs) : Haag-Domstolen og Bagerikonventionens Bestemmelser om Arbejdsgiverenes Arbejde (The Permanent Court of International Justice and the provisions of the Bakery Convention regarding the personal work of the employer). *Social Tidsskrift*, published by care of the Ministry of Social Affairs, Nos. 7-8, 1926. København.
- SOCIALMINISTERIET (Ministry of Social Affairs) : Den 8. og 9. Arbejdskonference i Maj og Juni 1926 (Eighth and Ninth Sessions of the International Labour Conference, May and June, 1926). *Socialt Tidsskrift*, No. 7-8, 1926.
- SOCIALMINISTERIET (Ministry of Social Affairs) : Nordisk socialpolitisk Samarbejde (sign. R. L.) (Northern Socio-political collaboration). *Socialt Tidsskrift*, No. 11, 1926.
- SUNDHEDS- OG INDENRIGSMINISTERIET (Ministry of Health and Ministry of the Interior) : Den X. internationale Arbejdskonference (sign. E. B.) (Tenth Session of the International Labour Conference). *Socialt Tidsskrift*, No. 2, 1927.
- SØ-FYRBØDERNES FORBUND I DANMARK (Danish Stokers' Union) : Arbejdskonferencen i Genève vedtager at afholde en Specialkonference i 1928 (The International Labour Conference will hold a special Session in 1928). *Faklen*, No. 7, 1926. København.
- SØ-FYRBØDERNES FORBUND I DANMARK (Danish Stokers' Union) : Arbejdskonferencens Resultater (Results of the International Labour Conference). *Faklen*, No. 11, 1926.
- SØMAENDENES FORBUND I DANMARK (Danish Sailors' Union) : 9. internationale Arbejdskonference i Genève i Juni 1926 (Ninth Session of the International Labour Conference). *Ny Tid*, No. 8. 1926. København.
- SØMAENDENES FORBUND I DANMARK (Danish Sailors' Union) : Søens Folk og de smittefarlige Kønssygdomme. En international Aktion (International action for the protection of Seamen's health). *Ny Tid*, Nos. 11, 12, 1926.
- \*\*\*Arbejdskonferencen i Genève (The International Labour Conference at Geneva). *Dansk Søfarts-Tidende*, (Danish Shipping Gazette), 1926, pp. 569, 588. København.

## FINLAND.

- ARBETSGIVARNAS I FINLAND CENTRALFÖRBUND (Finnish Employers' Federation) : Den åttonde internationella arbetskonferensen. (The Eighth Session of the International Labour Conference). *Industritidningen* (published in Finnish and Swedish), 1926, p. 153. Helsinki-Helsingfors.
- ARBETSGIVARNAS I FINLAND CENTRALFÖRBUND (Finnish Employers' Federation) : Sjöfartskonferensen i Genève 1926. (The 1926 Maritime Conference at Geneva). *Industritidningen*, 1926, p. 179.
- ARBETSGIVARNAS I FINLAND CENTRALFÖRBUND (Finnish Employers' Federation) : Sjömännen och de smittosamma könssjukdomarna. (International action for protection of seamen's health.). *Industritidningen*, 1926, p. 246.
- ARBETSGIVARNAS I FINLAND CENTRALFÖRBUND (Finnish Employers' Federation) : Internationella arbetsorganisationen och arbetsgivarnas personliga arbetsinsats. (The I. L. O. and the personal work of the employers). *Industritidningen*, 1926, p. 184.



- ARBETSGIVARNAS I FINLAND CENTRALFÖRBUND (Finnish Employers' Federation) : Internationella arbetsbyråns styrelsesammanträde. (The Governing Body of the I. L. O.) *Industritidningen*, 1926, p. 280 ; 1927, p. 34.
- HALME, A. : Kansainvälisen työkonferenssin 8sas ja 9säs istunto Genevessä 1926 (Eight and Ninth Sessions of the International Labour Conference). *Suomen Ammattijärjestö*, organ of the Finnish Confederation of Trade Unions, No. 8, 1926. Helsinki (Helsingfors.)
- PYYKKÖ, Onni A. : Washingtonin työaikasopimus ja Lontoon työaikakonferenssi. (The London Conference on Hours of Work.) *Sosiaalinen Aikakanskirja*, Organ of the Ministry of Social Affairs, 1926, p. 375. Helsinki (Helsingfors).
- SUOMEN SOSIALIMINISTERIO - SOCIALMINISTERIET I FINLAND (Ministry of Social Affairs) : Kansainliiton Kansainvälisen työjärjestön yleisen konferenssin kalideksas ja yhdeksäs istuntokausi Genevessä v. 1926. — Den internationella arbetsorganisationens vid Nationernas förbund åttonde och nionde allmänna konferens i Genève år 1926. (Eighth and Ninth Sessions of the International Labour Conference). *Tiedonantoja-Meddelanden*, No. XXIII. Helsinki (Helsingfors), 1926.
- SUOMEN SOSIALIMINISTERIO - SOCIALMINISTERIET I FINLAND (Ministry of Social Affairs) : Kolmas kansainvälinen sosialitilastollinen konferenssi. (Third International Conference of Labour Statisticians). *Sosiaalinen Aikakauskirja*, 1926, pp. 738, 771. Helsinki-Helsingfors, 1926.

## FRANCE.

- BARNES, Georges : Origines de l'Organisation internationale du Travail. — Sa liaison avec la S. d. N. — Activités et publications du B. I. T. *L'Europe Nouvelle*, 5 juin 1926, p. 781-3, Paris.
- BUTLER, H. B. : La « concentration » dans le monde. — Collaboration gouvernementale, patronale et ouvrière. *L'Europe Nouvelle*, 5 juin 1926, p. 779-80, Paris.
- DAVENAY, René : La protection des enfants entre la sortie de l'école et l'emploi à salaire normal. *La Formation Professionnelle*, 5 juin 1926, p. 633-9.
- DURAFOUR, A. : L'internationalisation des lois sociales. *L'Europe Nouvelle*, 5 juin 1926, p. 775-6, Paris.
- EPITAUX, G. : Le « palais du travail ». *L'Europe Nouvelle*, 5 juin 1926, p. 772. Paris.
- FONTAÏYE, A. : Les conventions internationales du travail. *L'Europe Nouvelle*, 5 juin 1926, p. 777-9, Paris.
- HARNES, Georges : Le Bureau international du Travail et les réfugiés russes et arméniens. *L'Information sociale*, 23 septembre 1926, p. 4, Paris.
- L'inauguration du « Palais du Travail ». Discours prononcé par M. Carlier, vice-président patronal du Conseil d'administration du B. I. T., le 6 juin 1926. *L'Europe Nouvelle*, 5 juin 1926, p. 786.
- JOUHAUX, Léon : Le rôle du Bureau international du Travail. *Le Peuple*, 9 février 1926, Paris.
- JOUHAUX, Léon : La C. G. T. et l'Organisation du Travail. *L'Europe Nouvelle*, 5 juin 1926, p. 792-3, Paris.
- LAMBERT-RIBOT, A. : L'Organisation internationale du Travail et les difficultés de l'action internationale. *L'Europe Nouvelle*, 5 juin 1926, p. 787-90, Paris.
- MAHAÏM, Ernest : La Conférence des Ministres du Travail tenue à Londres du 15 au 19 mars 1926. *Revue générale de Droit international public*, janvier-avril 1926, p. 130-138, Paris.
- MAYEDA, Tamon : Le Japon, nouvelle nation industrielle, et l'Organisation internationale du Travail. *L'Europe Nouvelle*, 5 juin 1926, p. 784-5, Paris.
- MICHELIS, G. de : L'Italie et les questions d'émigration et de matières premières. *L'Europe Nouvelle*, 5 juin 1926, p. 783-784, Paris.
- NORCY, Félix : Possibilités d'établir un étalon international du travail. *Bulletin trimestriel de la Fédération universitaire internationale pour la Société des Nations*, août 1926, p. 31-44, Paris.
- PIC, Paul : Vue synthétique sur l'œuvre de l'Organisation internationale du Travail depuis Washington 1919 jusqu'à Genève, 1925. *Revue générale de droit international public*, juillet-octobre 1925, p. 268-291 ; mai-août 1926, p. 246-273, Paris.
- PICARD, Roger : Le Bureau international du Travail. *Revue d'Economie politique* (dans Chronique des institutions économiques internationales) mai-juin 1926, N° 3, p. 871-874, Paris.
- THOMAS, Albert : La charte du travail. *L'Europe Nouvelle*, 5 juin 1926, p. 770-772, Paris.
- WALINE, Pierre : Après la conférence de Londres. Regards sur les Etats-Unis. *Journée industrielle*, 28-29 mars 1926, Paris.
- WALINE, Pierre : L'Organisation internationale du travail après sept ans d'existence. *La Revue de Paris* 1<sup>er</sup> septembre 1926, p. 211-225, Paris.
- \*\*\* : Conférence des 8 heures (La). Origines de la Conférence. Appréhensions qu'elle suscitait. Comment ont été obtenus des résultats favorables. *L'Atelier*, mars 1926, p. 129-138, Paris.
- \*\*\* : Conférence internationale du Travail (La). *L'Atelier*, juin-juillet 1926, p. 322-386, Paris.
- \*\*\* : Conférence internationale du Travail (La). Genève, 26 mai-5 juin 1926. *Supplément N° 26 bis au Bulletin quotidien de la Société d'Etudes et d'informations économiques*, 2 juillet 1926, 23 p. in-quarto, Paris.

## GERMANY.

- BRETZLER Dr : Zur internationalen Regelung der Arbeitszeit. *Das deutsche Handwerksblatt*, 15.6.26, p. 177-9, Hannover.
- FEHLINGER H. : Befugnisse der Internationalen Arbeitsorganisation. *Zeitschrift für die gesamte Staatswissenschaft*, 80. Jg. 1925-26, p. 341-3. Tübingen.
- FEHLINGER, H. : Internationaler Arbeitsschutz. Berlin 1926. IV & 132 p.
- FEHLINGER, H. : Deutschland in der Internationalen Arbeitsorganisation. *Wirtschaft und Wissen*, 15. Juli 1926, p. 53-6. Berlin.
- FEHLINGER, H. : Die Internationale Arbeitskonferenz und der Auswandererschutz. *Der Auslandsdeutsche*, 2. Juli, 1926, p. 444-6. Stuttgart.
- FEHLINGER, H. : Internationale sozialpolitische Ausschüsse. *Weltwirtschaftliches Archiv*, Juli 1926, p. 251-7. Jena.



- FEHLINGER, H. : Einfluss der Internationalen Arbeitsorganisation auf die Sozialpolitik der Staaten. *Archiv für Sozialwissenschaft*, Bd. 55, H. 3 (1926) p. 769-79. Tübingen.
- FEIG Dr. : Die 8. Internationale Arbeitskonferenz. *Reichsarbeitsblatt* (Nichtamtl. Teil) 24. Juli 1926, p. 490-492. Berlin.
- FEIG, Dr. J., : Internationale Arbeitsorganisation und internationale Sozialpolitik. *Arbeitsrecht und Arbeiterschutz*, p. 43-60. Berlin 1926.
- FOERSTER, Fr. W. : Streiflichter zur gegenwärtigen Lage. Abschnitt III : Internationale Sozialdemokratie und die Verkürzung der Arbeitszeit. *Die Menschheit* 12. Febr. 1926. Genf-Bern-Stuttgart.
- FUHS, R. : Die Achte und Neunte Tagung der Internationalen Arbeitskonferenz. *Soziale Praxis*, 2. Sept. 1926, p. 881-884 ; 9. Sept. 1926 ; p. 918 ; 23. Sept. 1926, p. 958-62. Jena.
- GOERRIG, Franz : Internationale Regelung der Entschädigung bei Betriebsunfällen und Berufskrankheiten. *Die Arbeiterversorgung*, 21. Sept. 1926, p. 369-374, Berlin.
- GRABEIN Dr. : Die Neunte Internationale Arbeitskonferenz. *Reichsarbeitsblatt*, 24 Juli 1926, p. 493-496 (Nichtamtlicher Teil) Berlin.
- GRIESER, A. : Die gegenwärtigen Probleme der Sozialversicherung. *Zeitschrift für die gesamte Versicherungswissenschaft*, 1. Apr. 1926, p. 141-148. Berlin.
- HEYDE, Ludwig : Der Geist von Locarno in der internationalen Sozialpolitik. *Soziale Praxis*, 8. April 1926, p. 329-334. Jena.
- KNOLL, Alex. : Sollen die Gewerkschaften die Auswanderung fördern ? *Gewerkschaftsarchiv*, April 1926, p. 137-147. Jena.
- KUTTIG, Ewald : Die Arbeitszeitkonferenz in London. *Reichsarbeitsblatt*, 1. April 1926, p. 213-215 (Nichtamtl. Teil). Berlin.
- MARTELL, P. : Weltarbeitsrecht. *Korrespondenzblatt*, Juli 1926, p. 104-107. Berlin.
- POTTHOFF, Dr. Heinz : Internationales Arbeitsrecht. *Deutsche Werkmeisterzeitung*, 1. Jan. 1926, p. 4-6. Düsseldorf.
- PRIBRAM, Karl : Die internationale Sozialpolitik und die internationale Arbeitsorganisation. *Soziale Praxis*, 7. Jan. 1926, p. 1-6. Jena.
- PRIBRAM, Karl : Die internationalen Tendenzen der Internat. Arbeitsorganisation. *Friedenswarte*, 1926, p. 111-114. Berlin.
- RITZMANN, F. : Die achte und die neunte internationale Arbeitskonferenz. *Kölner Sozialpolitische Vierteljahrsschrift*. H. 3/1926, p. 225-248. Halberstadt.
- SENDER, Tony : Brauchen wir internationale Regelung der Arbeitszeit ? *Betriebsrätezeitschrift*, 3. Juli 1926, p. 417-421. Stuttgart.
- TÄNZLER, F. : Internationale Sozialpolitik. *Der Arbeitgeber*, 15. Okt. 1926, p. 429-431. Berlin.
- TÄNZLER, F. : Deutschland und die Internationale Arbeitsorganisation. *Deutsche Wirtschaftszeitung*, 28 Okt. 1926, p. 995-996. Berlin.
- TÄNZLER, F. : Internationale Sozialpolitik. Berlin 1926. IV + 158. pp.
- THOMAS, Albert : Treibende Kräfte der internationalen Sozialpolitik. *Deutsche Allgemeine Zeitung*, 25. Februar 1926. Berlin.
- WECKERLE, Ed. : Die achte Internationale Arbeitskonferenz. *Betriebsrätezeitschrift*, 3. Juli 1926, p. 421-425. Stuttgart.
- WECKERLE, Ed. : Die neunte Internationale Arbeitskonferenz. *Betriebsrätezeitschrift*, 14. August 1926, p. 527-529. Stuttgart.

## GREAT BRITAIN.

- AYUSAWA, Iwao. F. : Japan and the International Labour Organisation. London, League of Nations' Union (No. 133), August 1926, pp. 39. 4d.
- BAKER, P. J. Noel : The League of Nations at work. London, 1926, pp. 151.
- BARNES, G. N. : History of the International Labour Office, with an introduction by Emile Vandervelde, London, 1926, pp. XIV + 106.
- BURNHAM, C.H. Viscount : International efforts to raise industrial standards. *Unity*, No. 5. August 1926. London.
- BUTLER, H. B. : International Labour Organisation. *The Encyclopaedia Britannica*. The Second of the New Volumes. Vol. XXXI, London, 1922, pp. 523-526.
- ELLISON, W. J. : The Nature and Aims of the International Labour Organisation. *The Problems of Peace*. London, Oxford University Press, 1927, pp. 50-62.
- INNES, Kathleen : The League of Nations and the World's Workers. An Introduction to the Work of the International Labour Organisation. London, The Hogarth Press, 1927, pp. 48. 1s. 6d.
- JOHNSTON, G. A. : A World Standard of Life. *Present Day Papers*, No. 4. London (1926), 24 pp. 6d.
- LEAGUE OF NATIONS UNION : Carrying out the Labour Covenant. (No. 202). London, November 1926, pp. 10. 1d.
- LEAGUE OF NATIONS' UNION : Social Insurance. Report of Conference held in London, Nov. 23-26. 1925, on the subject of "Social Insurance in its National and International Aspects and in Relation to the work of the International Labour Organisation of the League of Nations". Published by Faber & Gwyer. Introduction by Prof. Gilbert Murray, March 1926.
- LEAGUE OF NATIONS UNION : Labour and the League of Nations. (No. 157). 2nd ed. London, August 1926. 3d.
- LEAGUE OF NATIONS UNION : The I.L.O. Record in 1926. (No. 208). London, January 1927, pp. 58. 6d.
- LEAGUE OF NATIONS UNION : The Seventh International Labour Conference and the I.L.O. in 1925. (No. 187). London, January 1926, pp. 16. 1d.
- LEAGUE OF NATIONS UNION : Towards Industrial Peace. A Report of the Proceedings of a Conference organised by the L.N.U. on Systems of Fixing Minimum Wages and Methods of Conciliation and Arbitration. London, 1927, pp. 284. 6s.



- PHELAN, E. J. : The International Labour Organisation. In the *Europa Year Book*, 1926. London, pp. 64-69.
- PHELAN, E. J. : The Social Aspect of the Economic Conference. In the *Europa Year Book*, 1927.
- PHELAN, E. J. : Current Progress of International Labour Legislation. *The Problems of Peace*. London, Oxford University Press, 1927, pp. 63-89.
- TRADES UNION CONGRESS GENERAL COUNCIL : Report to the 58th Annual Congress. International Labour Conference, 8th and 9th Sessions, Geneva, 1926. London, 1926, pp. 146-158.
- U. K. GOVERNMENT : International Labour Conference. 26 May-24 June 1926. (Authentic texts of the) :
- U. K. GOVERNMENT : Report to the Minister of Labour by the British Government Delegates on the Eighth Session of the International Labour Conference at Geneva, Cmd 2749. London, 1926.
- U. K. GOVERNMENT : League of Nations. International Labour Conference. Ninth Session, Geneva 7-24 June 1926. Report by the British Government Delegates to the Minister of Labour. Cmd. 2750. London, 1926.

## HUNGARY.

- APPONYI, Gróf Albertné : A Nemzetközi Munkaügyi Szervezet. (International Labour Organisation). *Munkaügyi Közlöny*, 5. V. 1926, Budapest.
- GAL, Benő : A Nemzetközi Munkaügyi Szervezet VIII. értekezlete. (The eighth session of the International Labour Conference.) *Szakszervezeti Értesítő*, 1. VII. 1926, Budapest.
- PAPP, Dezső, Dr. : A nemzetközi munkaügyi szervezet és Magyarország (International Labour Organisation and Hungary). *Magyar Külpolitika*, 16 July 1926, Appendix.
- SCHÜTZ, Géza : A. VIII Nemzetközi Munkaügyi Értekezlet mérlege (The results of the 8th I.L.C.). *Szocializmus*, n° 7, pp. 243-247, July 1926.
- ZÁBORSZKY, István, Dr. : A Genfi Munkaügyi Hivatal és a Nemzetközi Munkaügy (The I.L.O. and the international labour question). Budapest, 1926, pp. 14.

## INDIA.

- CHATTERJEE, A. C. : *Report of the Delegates of the Government of India to the Eighth and Ninth Sessions of the International Labour Conference at Geneva, 1926.*
- GANGULEE, Nagendra, N. : *India and the League of Nations. The Asiatic Review*, January, 1926, London

## IRISH FREE STATE.

- PHELAN, E. J. : Ireland and the International Labour Organisation, Part II. Studies. *Irish Quarterly Review*, September 1926.

## ITALY.

- Prof. CATELLANI, Enrico : Lezioni di diritto internazionale (parte IIa : diritto privato, penale, amministrativo.) (Three lessons on the international labour legislation at Part XIIIth of the Treaty of Peace). *Editrice Universitaria*, Padova.
- FABIANO : Series of articles on the VIIIth and IXth Conferences. *Caffaro*, May-July 1926, Genoa.
- DE MICHELIS, G. : L'Italia e la Convenzione internazionale per le Otto ore di Lavoro. *Gerarchia*, november 1926.
- OLIVETTI, Gino : Il B. I. T. e gli interessi italiani. *Gazzetta del Popolo*, 6 February, 1926.
- VIATOR : L'Italia nell'Organizzazione permanente del Lavoro. *Rassegna Italiana*, March, 1926.
- Prof. VITTA, Cino : L'ordinamento internazionale del lavoro e il diritto italiano. — Publications of the *Facoltà di Giurisprudenza* of the Royal University of Modena, 1926.
- \*\*\* : Il B. I. T. e l'Italia. *Lavoro d'Italia*, 29 May 1926.
- \*\*\* : L'Organizzazione permanente del Lavoro. *Civiltà Cattolica*, 4 and 16 december 1926, Rome.

## JAPAN.

- ASARI, Junshiro : Kokusai Rodo Kaigi no Mondai to nareru Nihon Fujin Rodo Jotai (The Working Conditions of Japanese Women, discussed at the International Labour Conference). *Kokka Gakkai Zasshi* (The Journal of the Association of Political and Social Science, Imperial University of Tokyo). October 1926. Tokyo.
- \*\*\* : Hachi Jikan Rodosei to Waga Kuni no Taido (Eight Hour Day and the Attitude of Our Country.) Economist (Japanese weekly). 1st September, 1926, Tokyo.
- JIJI SHIMPO SHA : Kokusai Rodo Kaigi (International Labour Conference). *Jijinenkan* (Year Book for 1927 published by the newspaper *Jiji* of Tokyo). 1926, Tokyo.
- KAIIN (Organ of the Japan Seamen's Union) : Dai Hakkai oyobi Dai Kukai Kokusai Rodo Sokai Gidai Shitsumonsho (Questionnaire for Items on the Agenda of the Eighth and Ninth Sessions of the International Labour Conference). January 1926. Kobe.
- KAIIN : Hakunetsuka scru Sen-in Shoku5yo Shokaiken Mondai (The Problem of the Seamen's Employment Exchanges). September 1926, Kobe.
- KAIIN : Kaiin ni Kansuru Kokusai Rodo Joyakuan narabini Kankoku no Keika (The Measures taken by the Japanese Government with regard to the Draft Conventions and Recommendations concerning Maritime Affairs adopted by the International Labour Conference). February 1926, Kobe.
- KAIIN : Kogyo ni shiyoshiuru Jido no Saitei Nenrei wo sadamuru Joyakuan no Iijun (The Ratification of the Draft Convention fixing the Minimum Age for the Admission of Young Persons in Industry), September 1926, Kobe.



- KAIIN KYOKAI KAIHO (Monthly organ of the Mercantile Marine Officers' and Engineers' Association) : Dai Kukai Kokusai Rodo Sokai no Saitaku shitaru Kaiin no Fukuri ni Kansuru Ketsugi ni tsuite (Resolutions concerning the welfare of Seamen, adopted at the Ninth Session of the International Labour Conference). October 1926, Kobe.
- KAIIN KYOKAI KAIHO : Sen-in Shokugyo Shokaiken Kakuritsu to Kaiji Kyodo-Kai no Setsuritsu (Establishment of the Right of Seamen to participate in the management of Employment Exchanges for Seamen and the Formation of the Joint Maritime Board), October 1926, Kobe.
- KOGYO KYOIKU KAI (Industrial Education Association) : Kokusai Rodo Shiryo (International Labour Series), 1926, Osaka.
- KOKUSAI RODO KYOKAI (Japanese Association for International Labour Legislation) : Kogyo ni okeru Rodo Jikan Seigen ni Kansuru Ketsugi (Resolution concerning the Limitation of Working Hours in industry). *Sekai no Rodo* (Bulletin of the Tokio Correspondent's Office). October 1926, Tokio.
- MATSUOKA, Komakichi : Rodo Kaigi ni Tsukaishite no Kanso (My Impressions of the International Labour Conference). *Rodo* (Labour). (Organ of the General Federation of Japanese Labour), Tokyo, October 1926.
- NARASAKI, TSUZUKI, MATSUOKA KAWASHIMA AND AKASAKI : Dai Hachikai Kokusai Rodo Sokai Hokokusho (Report on the Eighth Session of the International Labour Conference). Dai Kukai Kokusai Rodo Sokai Hokokusho (Report on the Ninth Session of the International Labour Conference) (both published by the Japanese Workers' Delegate and advisers), 1926, Tokio.
- NARASAKI, Itaro : Kokusai Rodo Kaigi ni omomuku Tojo no Kan (The Thought on my way to the International Labour Conference). *Kaiin*, July 1926, Kobe.
- NARASAKI, Itaro : Dai Hakkai oyobi Dai Kukai Kokusai Rodo Sokai keika Hokoku (The Summary Report on the Eight and Ninth Session of the International Labour Conference), *Kaiin*, September, October 1926, Kobe.
- OHARA SHAKAI MONDAI KENKYUSHO (Ohara Institute of Social Research) Kokusai Rodo Mondai (International Labour Problems). *Nihon Rodo Nenkan* (Labour Year Book of Japan for 1927), 1926, Osaka.
- \*RODO JIHO (Labour Gazette published by the Bureau of Social Affairs of the Department of the Interior). Dai Jukkai Kokusai Rodo Kaigi no Gidai taru Shippei Hoken ni Kansuru Shitsumonsho (Questionnaire concerning Sickness Insurance, an item on the Agenda of the Tenth Session of the International Labour Conference). *Bureau of Social Affairs of the Department of the Interior*, September 1926, Tokio.
- \*SHAKKAIKYOKU : Dai Hachi-Kukai Kokusai Rodo Sokai Minkan Daihyo Iin oyobi Komon Sennin Hoho (Methods adopted for the appointment of the non-Governmental Delegates and Advisers for the Eighth and Ninth Sessions of the International Labour Conference). *Rodo Jiho* (Labour Gazette, published by the Bureau of Social Affairs), Tokyo, January 1926.
- \*SHAKKAIKYOKU : Dai Hakkai Kokusai Rodo Sokai Hokokusho (Report of the Eighth Session of the International Labour Conference), Tokio, 1926.
- \*SHAKAIKYOKU : Dai Hakkai Kokusai Rodo Sokai Hokokusho (Report on the Ninth Session of the International Labour Conference), Tokio, 1926.
- \*SHAKAIKYOKU : Rodo Rijikai Chosho (Minute Report concerning the Governing Body for each Session held during the year), Tokio, 1926.
- \*SHAKAIKYOKU : Dai Jukkai Kokusai Rodo Kaigi no Giji Jiko (The Items on the Agenda for the Tenth Session of the International Labour Conference). *Rodo Jiho*, June 1926.
- SONO, K. : Kokusai Rodo Kikan to Wagakuni no Rodo Hoki (International Labour Organisation and the Labour Law of Our Country). *Mita Hyoron* (organ of the Keio University), Tokyo, September and October 1926.
- TOKIO CORRESPONDENT'S OFFICE OF THE INTERNATIONAL LABOUR OFFICE. *Sekai no Rodo* (World's Labour, Monthly Bulletin, published by the Tokio Correspondent's Office of the International Labour Office, Tokio, 1926).
- TOKIO CORRESPONDENT'S OFFICE OF THE INTERNATIONAL LABOUR OFFICE : Dai Hachikai Dai Kukai Kokusai Rodo Sokaigo (Number specially devoted to the Eighth and Ninth Sessions of the International Labour Conference). *Sekai no Rodo*, Tokio, August 1926.
- TOKIO CORRESPONDENT'S OFFICE OF THE INTERNATIONAL OFFICE : Jikansei Joyaku no Jisshi Sanpi ni Kansuru Shitsumonsho to Kaitosho (Questionnaire concerning, and replies for and against the bringing into operation of the Hours Convention). *Sekai no Rodo*, Tokyo, October 1926.
- TOKIO CORRESPONDENT'S OFFICE OF THE INTERNATIONAL LABOUR OFFICE : Dai Hachi Kukai Kokusai Rodo Kaigi (The Eighth and Ninth Sessions of the International Labour Conference), *Shakai Seisaku Jiho*, Social Reform, Tokyo, October and November 1926.
- YONEKUBO, Manryo : Gakan Kokusai Rodo (My view on the International Labour Conference), *Kaiin*, Kobe, June 1926.
- YONEKUBO, Manryo : Kokusai Rodo Kikan ni tsuite (International Labour Conference), *Kaiin*, Kobe, July and August 1926.

## MEXICO.

- \*\*\* : El nuevo edificio de la Oficina internacional del Trabajo. *El Demócrata*, Méjico, 17. 4. 26.
- \*\*\* : La Oficina internacional del Trabajo y el progreso de las ratificaciones. *El Demócrata*, Méjico, 14. 4. 27.
- \*\*\* : Los problemas de la emigración y la Oficina internacional del Trabajo. *El Demócrata*, Méjico, 8. 5. 26.

## NETHERLANDS.

- \*\*\* ACHTSTE INTERNATIONALE ARBEIDSCONFERENTIE, gehouden te Genève 26 Mei-5 Juni 1926. Beknopt verslag van de technisch adviseur der regeeringsafgevaardigden. Voor rekening van het Departement van Arbeid uitgegeven als bijvoegsel van afl. 7, jaargang 1926, van het Maandsch ift van het Centraal Bureau voor de Statistiek. 's Gravenhage, 1926. (The eight I.L.C. at Geneva from May 26th till June 5th 1926. Report of the technical experts of the Government delegates, published as appendix to the monthly Review of the Central Statistical Bureau.)



- JOEKES, A. M.: Netherlands and the International Organisation of Labour in 1923. Extract of «Grotius», international annuary for 1924. The Hague (Nijhoff), 1923, pp. 187-204.
- J. J. de ROODE: Het werk van Genève en de moderne arbeidersbeweging. De Volkenbond, 1926. (The work of Geneva an the modern socialist movement.)
- JOEKES, A. M.: Les Pays-Bas et l'Organisation internationale du Travail en 1923. Extrait de «Grotius», annuaire international pour 1924, La Haye (Nijhoff), 1923, pp. 187-204.
- SANDBERG, Dr. A. M. C.: Negende internationale Arbridsconferentie, gehouden te Genève 7-24 Juni 1926. Beknopt verslag van den technisch adviseur der regeeringsafgevaardigen. Voor rekening van het Departement van Arbeid uitgegeven als bijvoegsel van afl. 10, jaargang 1926, van het Maandchrift van het Central Bureau voor de Statistiek, p. 28. 's Gravenhage, 1926. (The ninth I.L.C. at Geneva from June 7th till June 24th 1926. Report of the technical expert of the Government delegates, published as appendix to the monthly Review of the Central Statistical Bureau).
- STEMBERG, G. J.: Les Pays-Bas et l'Organisation internationale du Travail en 1926. Extrait de Grotius, annuaire international pour 1927, La Haye (Nijhoff).
- STEMBERG, G. J.: Netherlands and the International Organisation of Labour in 1926. Extract of «Grotius» international annuary for 1927, The Hague. (Nijhoff.)
- C. Z. (ZAALBERG): Een maand «Arbeid» te Genève. (Naar aanleiding van de 7<sup>e</sup> Internationale Arbeidsconferentie.) Tijdschrift voor Hygiene, Utrecht, July and September 1925, p. 265 and p. 335. (A month of «Labour» at Geveva. The 7th I. L. C.)

## NORWAY.

- ARBEIDERNES FAGL. LANDSORGANISATION I NORGE (Norwegian Confederation of Trade Unions): Arbeidskonferansen i Genf (The Labour Conference at Geneva). *Meddelelsesblad*, 1925, pp. 102, 150, 156, 180. Oslo.
- ARBEIDERNES FAGL. LANDSORGANISATION I NORGE (Norwegian Confederation of Trade Unions): Arbeidsforholdene og arbeidstiden til sjøs (Conditions and Hours of Work at Sea), *Meddelelsesblad*, 1926, p. 78.
- ARBEIDERNES FAGL. LANDSORGANISATION I NORGE (Norwegian Confederation of Trade Unions): Den 8. internasjonale arbeidskonferanse (The Eighth Session of the International Labour Conference). *Meddelelsesblad*, 1926, p. 192.
- BEER, Henrik: Sykeforsikringen og Arbeidsbyrået i Genf. (The International Labour Office and Health Insurance). *Sykeforsikringsbladet* (organ for Health Insurance questions), N<sup>o</sup> 2, 1926, Oslo.
- DEPARTEMENTET FOR SOCIALE SAKER (Ministry of Social Affairs): Nordisk socialpolitisk samarbeide (Northern Socio-political Collaboration). *Sociale Meddelelser*, Nos. 6, 9, 1926, Oslo.
- DEPARTEMENTET FOR SOCIALE SAKER (Ministry of Social Affairs): De internasjonale arbeidskonferanser i Genève i mai-juni 1926. Innberetning fra de norske regjeringsdelegerte ekspedisjonssjef Th. G. Thorsen og sjöfartsdirektör L. T. Hansen. (The International Labour Conferences at Geneva in May-June, 1926. Report by the Norwegian Government Delegates). Suppl. to *Sociale Meddelelser*, No. 7, 1926. Oslo.
- HANSEN, L. T.: cf. *Departementet for Sociale Saker*.
- KRINGEN, Olav: Årets to arbeidskonferanser (The two 1926 Sessions of the International Labour Conference). *Meddelelsesblad* (organ of the Norwegian Confederation of Trade Unions), N<sup>o</sup> 10, 1926, Oslo.
- NORGES RÖDE KORS LANDSFORENING (The Norwegian Red Cross Society): Hvad mener det Internasjonale Arbeidsbyrå om vort arbeide for sjöfolks helse? (The International Labour Office and the Red Cross work for promoting seamen's health). *Norges Røde Kors*, No. 9, 1926. Oslo.
- NORGES SKIBSFÖRERFORBUND (Norwegian Ships Captains' Association): Sjöfartens internationalisering (The internationalisation of shipping). *Norges Skipsföretidende*, No. 11, 1925.
- NORSK ARBEIDSGIVERFORENING (Norwegian Employers' Federation): Den internationale 8-timersdag. (The international 8-Hour Day). *Arbeidsgiveren*, 1926, pp. 23, 36, 63. Oslo.
- NORSK ARBEIDSGIVERFORENING (Norwegian Employers' Federation): Den internationale arbeidsorganisation og arbeidsgiverne. (The International Labour Office and the employers). *Arbeidsgiveren*, 1926, p. 58.
- NORSK MASKINISTFORBUND (Norwegian Engineers' Union): Sjöens folk og de smittefarlige) kjönssygdomme. En international aktion. (International action for the protection of seamen's health. *Norsk Maskin-Tidende*, No. 9, 1926. Oslo.
- NORSK MATROS- OG FYRBÖTERUNION (Norwegian Sailors' and Stokers' Union): Arbeidstiden ombord i skibene. (Hours of work on board ship). *Fagblad*, No. 7, 1926, Oslo.
- NORSK MATROS- OG FYRBÖTERUNION (Norwegian Sailors' and Stokers' Union): Fra Genève (The Geneva Conference). *Fagblad*, Nos. 9, 10, 1926.
- STEENDAL, L. Chr.: Genf-konferansene (Eighth and Ninth Sessions of the International Labour Conference). *Norsk Maskin-Tidende*, Nos. 8 and 9, 1926, Oslo.
- ST. MED. OM DEN INTERNASJONALE ARBEIDSKONFERANSE I GENEVE 1925. Social departementets innstilling av 11 juni 1926, som er bifalt ved kongelig resolution av samme dag. (Gov. Report to the Storting on the International Labour Conference in 1925). Oslo, 1926.
- THORSEN, Th. G.: cf. *Departementet for Sociale Saker*.

## POLAND.

- HORSZOWSKI, S.: VII Międzynarodowa Konferencja Pracy. (The 7th Session of the International Labour Conference). *Drukarnia Państwowa*, 1925, Warsaw.
- LANDAU, Ladislas: Ośmiogodzinny dzień pracy. (The Eight Hour Day). *Księgarnia Robotnicza*, Warsaw p. 117.



- LEMERCIER, M. A. : « Les Habitations à bon marché ». Kwestja mieszkaniowa i polityka mieszkaniowa *Samorząd Miejski*, Nos. 5 and 6, May, June 1926.
- LIPIŃSKI, M. E. : Ustawodawstwo Robotnicze. (Workers' Legislation). Second party, Warsaw, Library Hoesick, 1926.
- MINISTRY OF LABOUR AND SOCIAL ASSISTANCE : Obciążenie produkcji na rzecz Ubezpieczeń Społecznych w Polsce i zagranicą. (Social Expenditure in Poland and abroad). 1926.
- MINISTRY OF LABOUR AND SOCIAL ASSISTANCE : International Labour Organisation. *Praca i Opieka Społeczna*, pp. 238-289, 1926.
- SIMON, G. : « Les publications du B. I. T. » *Świat*, No. 15, 10 May 1926.
- TELLER, Z. : Prace Międzynarodowej Konferencji Pracy w Genewie. (The 8th Session of the I. L. C.). *Robotniczy Przegląd Gospodarczy*, No. 7, 1926.
- TREPKA, E. : IX Sesja Międzynarodowej Konferencji Pracy. (The 9th Session of the I. L. C.). *Przegląd Gospodarczy*, No. 17, 1st September 1926, pp. 836-840.
- TREPKA, E. : Compte-rendu des travaux de la 8<sup>me</sup> Conférence du Travail. *Przegląd Gospodarczy*, n° 15, 1926.
- WOYCICKI, Abbé : Podstawy moralne ośmiogodzinnego dnia pracy. (Moral bases of the Eight hour-day) *Głos Górnika*, n° 11, 10 octobre 1926.
- W. O. Zniesienie pracy nocnej w piekarniach. (Suppression of night work in bakeries). *Robotniczy Przegląd Gospodarczy*, n° 11, november 1926.
- \*\*\* : Activité du Bureau international du Travail. *Wzajemna Pomoc*, n° 8, August 1926.
- \*\*\* : Article on the London Conference on the Eight Hour Day. *Prawda*, n° 15, 11 April 1926, Lodz.
- \*\*\* : Międzynarodowe Biuro Pracy przy Lidze Narodów. (The I. L. O. of the League of Nations). *Głos Zjednoczenia*, n° 5, 1926.

## ROUMANIA.

- BARASCH, Dr. Marco J. : Legislația internațională a Muncii. București. *Cultura Națională*, 1927, pp. 14.
- LAURIAN, Dr. Marius A. : Conferința internațională a muncii. Analele economice și statistice. București. Julie-August 1926, An. IX, Nr. 7-8, pp. 87-91.
- MINISTERUL MUNCII, COOPERĂȚIEI ȘI ASIGURĂRILOR SOCIALE. Direcția generală a muncii. Direcția de studii și statistică Proiectele de convenții și recomandările adoptate de Conferințele internaționale ale Muncii de la 1919-1926. Institutul de arte grafice « Curierul judiciar » S. A. Bucarest, 1926, p. 315.

## KINGDOM OF THE SERBS, CROATS AND SLOVENES.

- Dr. ADŽIJA, Božidar : Medjunarodna Organizacija Rada. (The International Labour Organisation). *Hrvatski stamparski Zavod*, 1926, Zagreb.
- MARCHITCHANINE, Slav. : Internacionalne Konferencije Statistike Rada. (The Conferences on International Labour Statistics). *Radnička Zaštita*, 15 December 1926, Zagreb.
- THOMAS, Albert : Povodom Osmočasovnog Rada. (On the Eight Hour Day). *Socijalni Preporodjaj*, April-May-June 1926, Belgrade.
- ĆURČIN, Djoka : Potreba Nove Orientacije Medjunarodne Organizacije Rada. (Necessity of a new orientation for the I. L. O.). *Nova Evropa*, 26 October 1926, Zagreb.
- YEREMICH, Douchan, M. : Sa Sedme Medjunarodne Konferencije Rada. (On the 7th Session of the I. L. C.) *Socijalni Preporodjaj*, November, December 1925, January-February, March, April-May-June 1926, Belgrade.
- YEREMICH, Douchan, M. : Osma Medjunarodna Konferencija Rada. (The Eighth Session of the I. L. C.) *Socijalni Preporodjaj*, April-May-June 1926.

## SOUTH AFRICA.

- DEPARTMENT OF LABOUR AND INDUSTRY : Reports of Government, Labour and Employers' Delegates to the Seventh Session of the International Labour Conference. *Social and Industrial Review*, January 1926, February 1926.
- THE SUN AND AGRICULTURAL JOURNAL : Work of International Labour Office (an interview with Mr. W. Gemmill), March 1926.
- \*\*\* : Ideals of International Labour Organisation. Growing influence for good. (Abstract of the Directors' Report submitted to the Eighth Session of the Conference). *Social and Industrial Review*, December 1926.

## SPAIN.

- ALTEA, CONDE DE : La Conferencia internacional marítima. *La Epoca*, Madrid, 17. 5. 26 ; *El Noticiero Universal*, Barcelona, 3. 8. 26 ; *Crítica*, Valencia, 20-23, 7. 26 ; *Provincia*, Valencia, 18. 7. 26.
- AZPEITUA, Antonio : El nuevo edificio de la Oficina internacional del Trabajo ; *La Provincia*, Valencia, 13. 3. 26 ; *El Liberal*, Madrid, 31. 3. 26 ; *El Norte de Castilla*, Valladolid, 3. 4. 26 ; *Informaciones*, Madrid, 13. 4. 26.
- BUENO, Javier : Un centro de información universal. *El Norte de Castilla*, Valladolid, 6. 2. 26 ; *El Noticiero Sevillano*, Sevilla, 11. 2. 26.
- BUENO, Javier : La sede de la legislación internacional del trabajo. *Blanco y Negro*, Madrid, 5. 9. 26.
- BUENO, Javier : La jornada de trabajo y los problemas que plantea en los países de la América latina. *El Norte de Castilla*, Valladolid, 30. 12. 26 ; *El Noticiero Sevillano*, Sevilla, 20. 12. 26.
- CATALA, Fidel : A l'entorn de la Conferencia internacional del Treball. *La Publicitat*, Barcelona, 13. 6. 26.



- DUMOULIN, G. : La Oficina internacional del Trabajo en su nuevo edificio. *El Socialista*, Madrid, 20. 5. 26.
- FABRA RIBAS, A. : Nuevo edificio. La Oficina internacional del Trabajo. *El Sol*, Madrid, 8. 6. 26.
- FABRA RIBAS, A. : El estatuto del Trabajo. *La Federación*, Madrid, Junio, 1926.
- GONZALEZ POSADA, Carlos : Seguros Sociales (enfermedad, invalidez, vejez, muerte). Madrid, 1926, 312 p.
- MAHAIM, E. : La Organización internacional del Trabajo. (Conferencia del Prof. Mahaim en la Universidad de Madrid). *El Liberal*, Madrid, 13. 4. 26.
- MARTINEZ GIL, Lucio : Desde Ginebra : La Conferencia Internacional del Trabajo. *El Socialista*, Madrid, 4, 7, 8, 9, 12, 14, 15, 16, 21, 6. 26.
- OZCARIZ : Inauguración oficial del nuevo edificio de la Oficina internacional del Trabajo. *El Liberal*, Madrid, 11. 6. 26.
- OZCARIZ : La reunión de ministros de Trabajo en Londres para la ratificación del convenio sobre las ocho horas. *El Liberal*, Madrid, 1. 4. 26.
- ROSELLO, P. : Lo que opina Largo Caballero. *El Sol*, Madrid, 30.
- RYSER, E. : Los trabajadores del mar y la Conferencia internacional del Trabajo. *El Socialista*, 19. 5. 26, Madrid.
- SANTELICE, José Antonio G. : El templo del trabajo. *El Norte de Castilla*, Valladolid, 13. 6. 26.
- SERRANO PACHECO, J. : El B. I. T. *El Noticiero*, Cáceres, 30. 8. 26.
- \*\*\* La acción social de la Oficina internacional del Trabajo. *El Liberal*, Madrid, 7. 2. 26.
- \*\*\* La colocación de los refugiados rusos y la Oficina internacional del Trabajo. *El Noroeste*, Coruña, 28. 10. 26.
- \*\*\* La Conferencia internacional de Ginebra. *El Maquinista Naval*, Bilbao, Julio 1926.
- \*\*\* La Conferencia internacional del Trabajo. Intervención de España en la obra de la 9ª reunión. *El Noroeste*, Coruña, 14. 7. 26 ; *El Diario de Navarra*, Pamplona, 15. 7. 26 ; *El Faro*, Vigo, 17. 7. 26 ; *El Noticiero Universal*, Barcelona, 17. 7. 26 ; *Tierra*, Huesca, 18. 7. 26 ; *La Nación*, Madrid, 15. 7. 26.
- \*\*\* El Derecho del Trabajo en el Tratado de Versalles y su interpretación. *El Diluvio*, Barcelona, 12. 6. 26.
- \*\*\* El trabajo marítimo y la Conferencia internacional del Trabajo. *El Defensor*, Huelva, 1. 5. 26 ; *El Liberal*, Barcelona, 27. 4. 26 ; *La Voz*, Córdoba, 29. 4. 26 ; *El Liberal*, Bilbao, 5. 5. 26.
- \*\*\* Interpretación del Convenio de las ocho horas por las grandes potencias industriales. *La Libertad*, Madrid, 7. 5. 26.

## SWEDEN.

- BACKLUND, Sven : Internationella arbetskonferensen 1926. Allmänna sessionen. (International Labour Conference. General Session). *Fackföreningsrörelsen*, Organ of the Swedish Confederation of Trade Unions, No. 31, 1926. Stockholm, 1926.
- BACKLUND, Sven : Internationella arbetskonferensen 1926. Sjöfartssessionen (International Labour Conference : Maritime Session). *Fackföreningsrörelsen*, Nos 32, 33, 1926.
- BACKLUND, Sven : Sjömanskonferensen i Geneve (The Maritime Conference at Geneva). *Sjömannen*, Organ of the Swedish Sailors' Union, No. 7, 1926. Göteborg, 1926.
- ELIASON, W. : I. T. F. : s generalråd som förmyndare, i frågan om utseendet av ombud till internationella arbetsbyråns specialkonferenser (The appointment of workers' representatives to special International Labour Conferences). *Sjömannen*, Organ of the Swedish Sailors' Union, No. 4, 1926. Göteborg, 1926.
- FÖRENINGEN FÖR ARBETARSKYDD (The Swedish Association for Labour Protection) : Första sammanträdet med Internationella arbetsbyråns subkommitté för arbetarskydd. (The International Labour and Labour protection). *Arbetarskyddet*, No. 9, 1925, Stockholm.
- HUSS, Gunnar : Internationella arbetsorganisationen (The International Labour Organisation). *Social Handboken*, utgiven av Centralförbundet för socialt arbete, under redaktion av G. H. von Koch. — Social Handbook, published by the Central Association for Social Work. Editor : G. H. von Koch. Stockholm, 1925.
- INTERNATIONELLA ARBETSBYRAN I GENEVE (International Labour Office at Geneva) : Arbetslöshetsförsäkringen. En jämförande framställning av lagstiftningen i olika länder. Utarbetad av.... (A Swedish translation of the International Labour Office Report on Unemployment Insurance). Stockholm, Tidens Förlag, 1926.
- KOMMERSKOLLEGIUM (Board of Trade) : Utlåtande angående sammansättningen av Joint Maritime Commission. (Statement on the constitution of the Joint Maritime Commission). *Kommersiella Meddelanden*, No. 1, 1926. Stockholm.
- KOMMERSKOLLEGIUM (Board of Trade) : Internationella arbetsbyråns produktionsundersökning. En sammanfattning av huvudresultaten. (A Swedish translation of the Conclusions of the Enquiry into Production). *Kommersiella Meddelanden*. Reprint of Nos. 5 and 6, 1926.
- KUNGL. MAJTS PROPOSITION med anhållan om riksdagens yttrande angående vissa beslut, som fattats av internationella arbetsorganisationens konferens vid dess åttonde sammanträde i Genève år 1926 ; given Stockholms slott den 21 januari 1927 (Government Bill requesting the observations of Parliament on certain decisions adopted by the Eighth Session of the International Labour Conference). Stockholm, 1927.
- KUNGL. MAJTS PROPOSITION med anhållan om riksdagens yttrande angående vissa beslut, som fattats av den internationella arbetsorganisationens konferens vid dess nionde sammanträde i Genève år 1926 ; given Stockholms slott den 18 februari 1927 (Government Bill requesting the observations of Parliament on certain decisions adopted by the Ninth Session of the International Labour Conference). Stockholm, 1927.
- LANDSORGANISATIONEN I SVERGE (Swedish Confederation of Trade Unions) : Internationella arbetsbyrån. Tvenne skrivelser från Landssekreteriatet till regeringen. (Sweden's relations with the International Labour Office. Two memoranda from the Swedish Confederation of Trade Unions to the Government). *Fackföreningsrörelsen*, No. 43, 1925, Stockholm.
- LANDSORGANISATIONEN I SVERGE (Swedish Confederation of Trade Unions) : Washingtonkonventionen. Resultatet av arbetsministrarnas konferens i London. (The London Conference on Hours of Work). *Fackföreningsrörelsen*, No. 15, 1926.



- LANDSORGANISATIONEN I SVERGE (Swedish Confederation of Trade Unions) : Sjunde internationella arbetskonferensen i Genève (Seventh International Labour Conference at Geneva). *Verksamhetsberättelse*, 1925, p. 86.
- NYSTRÖM, Bertil : Det internationella statistiska samarbetet och dess organ (International Statistica, Collaboration and its Organs). *Statsvetenskaplig Tidskrift*, No. 4, 1926. Lund, 1926.
- OLSSON, Nicklas : Efterskörd från Genève-konferensen (Gleanings from the Geneva Conference). *Sjömannen*, Organ of the Swedish Sailors' Union, No. 8, 1926. Göteborg.
- OLSSON, Nicklas : Nautisk Tidskrift och Internationella Arbetsorganisationen (Attitude of the "Nautisk Tidskrift", Organ of the Swedish Ships Officers' Association, towards the International Labour Organisation). *Sjömannen*, Organ of the Swedish Sailors' Union, No. 10, 1926, Göteborg.
- SCHMIDT, Carl Christian : Internationella arbetsbyrån och emigrationsfrågan (International Labour Office and the Migration Question). *Hem i Sverige*, Organ of the Association for Homes in Sweden, No. 4, 1925, Stockholm.
- SJÖSTRAND, Erik : Förebyggandet av periodiska arbetslöshetskriser (International Labour Office and the Prevention of Periodical Unemployment Crises). *Fackföreningsrörelsen*, Organ of the Swedish Confederation of Trade Unions, Nos. 15, 16, 23, 28, 29, 1925, Stockholm.
- SJÖSTRAND, Erik : Nya publikationer från Internationella arbetsbyrån (New Publications of the International Labour Office). *Sociala Meddelanden*, Organ of the Swedish Social Board, Nos. 9, 11, 12, 1925, Nos. 5, 8, 1926. Stockholm.
- SJÖSTRAND, Erik : Internationella arbetsbyråns publikationsserier. (The Publications Series of the International Labour Office). Reprint of *Sociala Meddelanden*, Organ of the Swedish Social Board, No. 3, 1926.
- SJÖSTRAND, Erik : Internationella arbetsbyrån och socialförsäkringsfrågorna (International Labour Office and Social Insurance). *Arbetarskyddet*, Organ of the Swedish Association for Labour Protection, No. 2, 1926. Stockholm.
- SJÖSTRAND, Erik : Den internationella arbetsorganisationen (The International Labour Organisation), *Bankvärlden*, Organ of the Swedish Bank Employees' Association, No. 6. 1926. Stockholm.
- SOCIALSTYRELSEN (Swedish Social Board) : Internationella arbetsbyråns styrelsessammanträden (Sessions of the Governing Body of the International Labour Office). *Sociala Meddelanden*, 1926, pp. 243, 393, 488. Stockholm.
- SOCIALSTYRELSEN (Swedish Social Board) : Mellanfolkliga domstolens utslag i frågan om arbetsgivarlagstiftningen (The Advisory Opinion of the Permanent Court of International Justice on Employers Work). *Sociala Meddelanden*, 1926, p. 728. Stockholm.
- SOCIALSTYRELSEN (Swedish Social Board) : Internationella arbetsbyråns publikationsserier (The Publication Series of the International Labour Office). *Sociala Meddelanden*, 1926, p. 195.
- SOCIALSTYRELSEN (Swedish Social Board) : Folkförbundets och internationella arbetsbyråns blandade kommitté för ekonomiska kriser (The Mixed Committee on Economic Crises). *Sociala Meddelanden*, 1926, p. 308.
- SOCIALSTYRELSEN (Swedish Social Board) : Åttonde internationella arbetskonferensen i Genève. (Eighth Session of the International Labour Conference). *Sociala Meddelanden*, 1926, p. 675.
- SOCIALSTYRELSEN (Swedish Social Board) : Internationella rödakorskonferens för främjandet av hälsovård. (International action for promoting seamen's health and welfare). *Sociala Meddelanden*, 1926, p. 729.
- SOCIALSTYRELSEN (Swedish Social Board) : Nionde internationella arbetskonferensen i Genève. (Ninth Session of the International Labour Conference). *Sociala Meddelanden*, 1926, p. 755.
- SVENSKA ARBETSGIFVAREFÖRENINGEN (Swedish Employers' Federation) : Internationella arbetsbyråns enquête rörande produktionen. (The International Labour Office Enquiry into Production). *Industria*, No. 24, 1925. Stockholm.
- SVENSKA ARBETSGIFVAREFÖRENINGEN (Swedish Employers' Federation) : Internationell arbetstidskonferens i London. (The London Conference on Hours of Work). *Industria*, Nos 4, 7, 1926.
- SVENSKA ARBETSGIFVAREFÖRENINGEN (Swedish Employers' Federation) : Nationell egenart och nationell arbetstidsbegränsning. (National Characteristics and Regulation of Hours of Work). *Industria*, No. 9, 1926.
- SVENSKA ARBETSGIFVAREFÖRENINGEN (Swedish Employers' Federation) : Åttonde och nionde internationella arbetskonferenserna. (Eighth and Ninth Sessions of the International Labour Conference). *Industria*, No. 16, 1926.
- SVENSKA ARBETSGIFVAREFÖRENINGEN (Swedish Employers' Federation) : Haagdomstolen och arbetsgivarearbetet. (The Permanent Court of International Justice and Employers' Work). *Industria*, No. 17, 1926.
- SVENSKA ARBETSGIFVAREFÖRENINGEN (Swedish Employers' Federation) : Internationellt socialpolitiskt samarbete : sjunde internationella arbetskonferensen. 1925. (International Sociopolitical collaboration. Seventh Session of the International Labour Conference). *Styrelse- och Revisionsberättelser* för år 1925, p. 59. Stockholm, 1926.
- SVENSKA ELDAREUNIONEN (Swedish Stokers' Union) : Internationella arbetskonferensen 1926. (The 1926 International Labour Conference). *Eldaren*, No. 6, 1926, Göteborg.
- SVENSKA ELDAREUNIONEN (Swedish Stokers' Union) : Genèvekonferensen (sign. S. L.) (The Geneva Conference). *Eldaren*, No. 7, 1926.
- SVENSKA SJÖMANSUNIONEN (Swedish Sailors' Union) : Genèvekonferensens konventioner. (The Conventions of the Geneva Conference). *Sjömannen*, No. 1, 1927, Göteborg.
- SVERIGES SOCIALDEMOKRATISKA ARBETARPARTI (The Swedish Socialdemocratic Labour Party) : Konventionen angående 8-timmarsdagen. (The Eight Hour Day Convention). *Tiden*, No. 4, 1926, Stockholm.
- \*\*\* : Arbetskonferensens förslag under debatt (The decisions of the 1926 Labour Conference under Discussion). *Svensk Flagg* (Swedish Shipping Journal). No. 4, 1927, Stockholm.
- \*\*\* : 9 : e internationella arbetskonferensen (The Ninth Session of the International Labour Conference) : *Svensk Sjöfartstidning* (Swedish Shipping Gazette), No. 26. 1926, Göteborg.
- \*\*\* : Genèvekonventionen om sjömäns anställningsavtal (The Geneva Convention on Seamen's Articles of Agreement). *Svensk Sjöfartstidning* (Swedish Shipping Gazette), No. 48, 1926.



## SWITZERLAND.

- BRADFIELD, B. : The I.L.O. at a Glance. Geneva, Librairie Kündig (1927), pp. 20. 1 fr.
- SCHURCH, Charles : Les assurances sociales devant la VII<sup>e</sup> Conférence internationale du Travail. Trois articles parus dans le *Travail*, N<sup>os</sup> 116 et 130 et la *Revue syndicale suisse*, N<sup>o</sup> 6, 1925.
- SEILER, Jean-P. : La participation de la Suisse à l'Organisation internationale du Travail. *La Suisse industrielle*, Paris, 1926.
- SEILER, Jean-P. : L'œuvre de l'Organisation internationale du Travail en matière d'assurances sociales. *Revue Polytechnique*, N<sup>os</sup> 628-629-630.

## UNITED STATES OF AMERICA.

- CALDER, John : How Geneva Labor Office Works. *Iron Age*, Nov. 4, 1926, N. Y.
- HIGGINS, W. L. : The International Labor Office and American Industrial Freedom. *Law and Labor*, August 1929, N. Y.
- MAGNUSSON, Leifur : International Labor Office and Possibility for American Collaboration. *Bulletin* N<sup>o</sup>. 411, *U. S. Bureau of Labor Statistics*, Washington.
- MAGNUSSON, Leifur : International Social Action in Industry. *Proceedings of the National Conference of Social Work*, Cleveland (Ohio), May 26-June 2, 1926.
- MAGNUSSON, Leifur : International Competition in Labor Conditions and the Maintenance of Labor Standards, Cambridge, Mass. Lecture given at St. Louis (Missouri), *Proceedings of American Economic Association*, December 28-31, 1926.
- MAGNUSSON, Leifur : An International Public Service (The Staff of the International Labor Office). *Federal Employee*, December, 1926.
- MAGNUSSON, Leifur : The International Labor Office and the Leisure Movement. *The Playground*, March. 1927, New York. (Reprint of address before Recreation Congress, Atlantic City (New Jersey) October 18-22, 1926).
- PERIGORD, Paul : The International Labor Organization. A Study of Labor and Capital in Cooperation, Intro. by Henry M. Robinson, New York, 1926, pp. XXXII, 339.
- SHOTWELL, J. T. : International Labor Organization. *American Federationist*, May, 1926, Washington.
- STEWART, Bryce M. : Canadian Labor Laws and the Treaty. Columbia University, New York, 503 pp.

## URUGUAY.

- CHARLONE, César : Informe sobre la 8<sup>a</sup> Conferencia internacional del Trabajo. *Crónica de la Oficina Nacional del Trabajo*. Montevideo, Novembre 1926.
- \*\*\* : La Oficina internacional del Trabajo. *El Imparcial*, Montevideo, 24, 4, 26.
- \*\*\* : El Nuevo edificio de la Oficina internacional del Trabajo. *El Imparcial*, Montevideo, 24, 4, 26.







## SECOND PART.

Summary of Annual Reports under  
Article 408.





## SECOND PART.

### Summary of Annual Reports under Article 408.

Article 408 of the Treaty of Peace of Versailles and the corresponding Articles of the other Treaties of Peace read as follows :

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

This Article, the first of the series (Articles 408-420) having as their object to secure effective and uniform application of the Conventions adopted by the International Labour Conference, involves three distinct obligations : (1) an obligation on the Members to make annual reports to the International Labour Office on the measures which they have taken to give effect to the provisions of Conventions to which they are parties ; (2) an obligation on the Governing Body to prescribe the form of such reports and the particulars which they should contain ; (3) an obligation on the Director of the International Labour Office to lay a summary of the reports before the next meeting of the Conference.

In conformity with these obligations the Governing Body has prescribed the forms for the annual reports upon sixteen of the Conventions in force for which reports have become due ; the annual reports themselves have in most cases been regularly received from the Members ; and, since 1924, summaries of the reports, which had previously been printed *in extenso* in the Report of the Director, have been duly laid before the Conference each year.

In this Second Part of the Report of the Director to the Tenth Session of the Conference the summary of the annual reports in respect of the year ended 31 December 1926 is herewith formally laid before the Conference.

Attention has been drawn in the Report of the Director for each year since 1924 to the importance of this part of the Report. The fact that it is submitted to the Conference in execution of Article 408 of the Treaty of Peace — an Article which is the starting-point of the whole procedure laid down in Part XIII for the supervision of the application of Conventions — should, the Office has always considered, commend it to the special notice of the Conference and of public opinion. It is indeed only from this summary of the official information supplied by the Governments of the Members which have ratified Conventions that the other contracting Governments, the Delegates to the Conference, the employers' and workers' organisations, and public opinion generally, can judge how these Conventions are being applied. Nevertheless, the Conference as a whole has not so far discussed the summary of the annual reports presented to it each year, and the vitally important question of the application of ratified Conventions has remained almost untouched in its deliberations.

It was in consequence of this situation that Mr. O'Rahilly, Government Delegate of the Irish Free State at the Seventh Session of the Conference, had suggested the appointment at subsequent Sessions of a special Committee to examine the annual reports. This suggestion was taken up by the Representative of the British Government who, at the Thirtieth Session of the Governing Body (January, 1926) proposed the following Resolution, which the Governing Body adopted :

The Governing Body,

Considering that the reports rendered by States Members of the Organisation under Article 408 of the Treaty of Versailles are of the utmost importance,

And that careful examination of the information contained therein is calculated to throw light upon the practical value of the Conventions themselves and to further their general ratification,

Suggests that the Conference should appoint a Committee to consider the ways and means of



making the best and fullest use of this information and of securing such additional data as may be found desirable to supplement that already available.

This Resolution was communicated to the Governments of the Members before the Eighth Session of the Conference in 1926, and that Session appointed a Committee in accordance with its terms. This Committee found that the failure of the question of the application of Conventions to arrest the attention of the Conference was due more particularly to the extent and technical complexity of the summary of the annual reports, and that the information contained in the summary needed to be given in a form which would concentrate attention upon those points which could most usefully and profitably be discussed. It therefore proposed a Resolution which the Conference adopted in the following form :

The Eighth Session of the International Labour Conference,

Considering that the reports rendered by the States Members of the Organisation under Article 408 of the Treaty of Versailles are of the utmost importance,

And that careful examination of the information contained therein is calculated to throw light upon the practical value of the Conventions themselves and to further their general ratification,

Recommends that a Committee of the Conference should be set up each year to examine the summaries of the reports submitted to the Conference in accordance with Article 408,

And requests the Governing Body of the International Labour Office to appoint, as an experiment and for a period of one, two or three years, a technical Committee of experts, consisting of six or eight members, for the purpose of making the best and fullest use of this information and of securing such additional data as may be provided for in the forms approved by the Governing Body and found desirable to supplement that already available, and of reporting thereon to the Governing Body, which report the Director, after consultation with the Governing Body, will annex to his summary of the annual reports presented to the Conference under Article 408.

Effect has been given to the final paragraph of this Resolution by the Governing Body, which, in a series of decisions taken at its Third-third, Thirty-fourth and Thirty-fifth Sessions, appointed for a period of two years a Committee of Experts composed of the following members :

Professor Henry William Carless DAVIS, C.B.E., Regius Professor of Modern History in the University of Oxford.

Sir Selwyn FREMANTLE, C.S.I., C.I.E., Ex-Member of Council of the Lieutenant-Governor of the United Provinces; Ex-Member of the Viceroy's Legislative Council for the purpose of the Factory Bill.

Mr. Jules GAUTIER, Counsellor of State; Member of the Section of the " Conseil d'Etat " dealing with labour problems and Rapporteur for questions concerning labour legislation submitted to that body.; Vice-Chairman of the " Conseil national économique ".

Professor GINI, University of Rome ; President of the National Institute of Statistics ; Member of the Council of the International Institute of Statistics.

Mr. VON NOSTIZ, President of the Administrative Tribunal of Saxony; Chairman of the Social Reform Society.

Mr. QUADRAT, Engineer; Secretary-General of the Masaryk Labour Academy at Prague.

Professor William RAPPARD, Rector of the University of Geneva ; Member of the Permanent Mandates Commission of the League of Nations; former Director of the Mandates Section at the Secretariat of the League of Nations.

Mr. TSCHOFFEN, Senator; former Minister of Labour, Industry and Social Welfare, Brussels.

Professor Ignacy KOSZEMBAR-LYSKOWSKI, Professor of Law at the University of Warsaw ; late Rector of the University of Warsaw ; author of several works on social legislation (substitute member).

The first meeting of this Committee of Experts was convened to take place on 2 May 1927, and will be in progress when these pages are in the press. The report of the Committee, after being submitted to the Governing Body at its meeting of 24 May in accordance with the terms of the Resolution of the Conference, will be presented to the Conference as an annex to this Second Part of the Director's Report, with which it will be printed in the Final Record of the Tenth Session of the Conference.

In convening the Committee of Experts to examine the annual reports furnished to the Office under Article 408 of the Treaty of Versailles, the Office has endeavoured above all things to make it quite clear that the functions of the Committee are entirely advisory and technical in character. During the discussion at the Eighth Session of the Conference both the supporters and the opponents of the creation of the Committee were equally concerned to emphasize the fact that it was in no sense a constitutional innovation, that no new mechanism for the supervision of the application of Conventions was being created. The Committee is not called upon to assume or exercise, either directly or indirectly, any of the obligations imposed or the powers conferred by Articles 408 to 420 of the Treaty of Peace. The only object of the Conference in deciding on the appointment of the Committee was to secure to the Governing Body and to the Director the objective technical assistance of impartial and independent experts of undoubted competence.

The precise functions of the Committee of Experts, as defined in the report of the Committee on Article 408 of the Eighth Session of the Conference, were summarised



for the guidance of the Committee of Experts in the following terms :

(a) To examine the annual reports with a view to noting the cases where the information supplied appears inadequate for a complete understanding of the position with regard to the application of the Convention concerned, either generally, or in a particular country. Where the information appears inadequate generally, the Committee may suggest that the Governing Body should consider such modification of the form for annual reports as would secure greater precision. Where the information appears inadequate in the case of a particular country, the Committee may suggest that the Office should ask by correspondence for such further details as it may be possible to request within the limits of the forms for annual reports approved by the Governing Body ;

(b) To examine the annual reports with a view to noting differences in the interpretation of the provisions of Conventions in the several countries which have ratified them, without, however, prejudging in any way the question as to what the right interpretation may be ;

(c) To formulate its observations in a technical report to the Governing Body of the International Labour Office.

It will be this report which the Director, in accordance with the Conference Resolution and the Governing Body's direction, will submit to the Conference when it meets as an annex to this Part of the Director's Report<sup>1</sup>.

The last paragraph of the above-quoted Resolution of the Eighth Session concerning the methods by which the Conference can make use of the reports submitted under Article 408 will thereby have been duly carried out. There remains, however, the recommendation " that a Committee of the Conference should be set up each year to examine the summaries of the reports submitted to the Conference in accordance with Article 408. " It will be for the Conference itself to consider the effect to be given to this recommendation of the Eighth Session.

The Office ventures to hope, however, that the Conference will not hesitate to take action upon this suggestion of its forerunner and appoint a Conference Committee to prepare that discussion in the Conference itself of the application of ratified Conventions which was evidently

<sup>1</sup> For the text of the report of the Committee of Experts see p. 400.

contemplated by the authors of Part XIII when they provided in Article 408 that a summary of the annual reports should be presented to the Conference each year, and which is the logical outcome of this presentation.

Finally, it should be indicated, as regards the summary of the annual reports here laid before the Conference, that it covers all the Conventions adopted by the Conference at its First, Second and Third Sessions,<sup>1</sup> and that the period dealt with is the year ended 31 December 1926. The system followed in preparing the summary is the same as that employed last year. The analysis of the reports relating to each Convention is preceded by a brief introductory note and a table showing the countries which have ratified the Convention and are under the obligation to furnish reports, the date of registration of each ratification, the date on which the provisions of the Convention were brought into force in each country, and the date upon which the last annual report was received. Under the heading " Legislation " are given in small type the provisions of each of the relevant Articles of the Convention, followed in each case by an account of the national law relating to the Article in question or of any other measures which may have been taken with a view to application. Then follow short statements showing for each country the method of enforcing the national legislation on the matters with which the Convention deals, collected under the heading " Enforcement of legislation ". Finally, the information given by the reports with regard to the application of the provisions of the Convention to colonies, protectorates and possessions which are not fully self-governing, in virtue of Article 421 of the Treaty of Versailles and the relevant Article of each Convention, is given under " Application to colonies, etc. " <sup>2</sup>

<sup>1</sup> For the texts of the forms for annual reports approved by the Governing Body see, for the Conventions adopted at Washington and Genoa, *Official Bulletin*, Vol. IV, pp. 159-166 and Vol. VII, pp. 283-290 ; for the Conventions adopted at Geneva in 1921, *Official Bulletin*, Vol. IX, pp. 190-196.

<sup>2</sup> The following abbreviations have been used in the footnotes :

B.B. = *Bulletin of the International Labour Office* (Basle).

L.S. = *Legislative Series* of the International Labour Office.

O.B. = *Official Bulletin* of the International Labour Office.



### FIRST SESSION (WASHINGTON, 1919).

#### Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week.

##### I.

This Convention first came into force on 13 June 1921. Reports have been received in respect of the year ended 31 December 1926 from *Bulgaria, Chile, Czechoslovakia, Greece, India and Rumania*.

The report of the *Greek* Government states that the Convention was put into effect by Act No. 2269 of 1 July 1920. This Act contained the text of the Convention and prescribed in § 3 that the provisions of the Convention should be incorporated by Royal Decree in the existing laws. The report further states that the Ministry of National Economy, by its Circular No. 23 of 16 July 1920 to all competent authorities, explained the purpose of Act No. 2269 and invited these authorities to communicate its contents to the workers' and employers' organisations and to endeavour to explain its provisions to them. In its covering letter, the Government states that it will be seen from the reports on the Conventions ratified by Greece that some "have not yet been applied as fully as is desirable, a fact which must be attributed to the generally abnormal conditions under which the country has suffered in recent years. The present Government, therefore, considers it to be its duty, in accordance with the principles of Part XIII of the Treaty of Versailles, to do everything necessary and compatible with the economic position of Greece to improve the lot of the workers. For this purpose it will propose..... a series of measures designed to give fuller application to all the Conventions ratified by Greece and to develop existing labour legislation."

The Government of *Rumania*, in a letter dated 17 March 1927 transmitting reports upon certain other Conventions, makes the following observations: "As regards the Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week, we have the honour to inform you that the provisions of this Convention have not yet been rendered definitely legal; nevertheless, they are applied on a large scale. The majority of the collective agreements — the conclusion of which has been very widely adopted in Rumania — contain a clause limiting hours of work to eight in the day. Moreover, in the most industrial parts of the country — Transylvania and the Banat — hours of work in industry are regulated by Decree No. XII of the Executive Council, dated 21 May 1919, which limits hours of work to eight in the day and forty-eight in the week, and also lays down the conditions governing the exceptions which may be granted in certain cases. In the former Kingdom, hours of work have been regulated by law for various classes of workers. Thus, the Act of 1912 respecting the organisation of handicrafts, minor credit institutions, and workmen's insurance<sup>1</sup> provides for an eight-hour day in the case of all persons of from eleven to fifteen years of age, and a maximum ten-hour day for persons of from fifteen to eighteen years of age. Further, women over eighteen years of age may not work more than eleven hours without the authorisation of the competent authorities."

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408:

<sup>1</sup> B. B., 1913, Vol. VIII, p. 58.

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.	Date for application of provisions.	Last report received.
Bulgaria . . . . .	14. 2. 1922	1. 7. 1924	19. 3. 1927
Chile . . . . .	15. 9. 1925	15. 9. 1925	3. 5. 1927
Czechoslovakia . . . . .	24. 8. 1921	10. 3. 1922 <sup>1</sup>	28. 2. 1927
Greece . . . . .	19. 11. 1920	13. 6. 1921 <sup>2</sup>	26. 2. 1927
India . . . . .	14. 7. 1921	14. 7. 1921 <sup>3</sup> 1. 7. 1922 <sup>4</sup> 1. 7. 1924 <sup>5</sup>	24. 2. 1927
Rumania . . . . .	13. 6. 1921	— <sup>6</sup>	21. 3. 1927

<sup>1</sup> Legislation in force since 1919.

<sup>2</sup> General date of coming into force of the Convention. The Greek report, however, indicates that the date of coming into effect in Greece was 10 July 1920, although the practical operation of the provisions of the Convention was suspended until one year after the signature of the Treaty of Lausanne, i.e., 24 July 1924. See also introductory note above.

<sup>3</sup> Railways.

<sup>4</sup> Factories.

<sup>5</sup> Mines.

<sup>6</sup> See introductory statement above.

## II. Legislation.

### ARTICLE 1 of the Convention is as follows:

For the purpose of this Convention, the term "industrial undertaking" includes particularly:

(a) Mines, quarries, and other works for the extraction of minerals from the earth.

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind.

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

(d) Transport of passengers or goods by road, rail, sea or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

The provisions relative to transport by sea and on inland waterways shall be determined by a special conference dealing with employment at sea and on inland waterways.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

*Bulgaria.* — The Decree No. 24 of 24 June 1919 concerning the eight and six hour day applies to undertakings in industry, handicrafts and commerce. These undertakings are not limitatively defined, except as regards those undertakings classified as dangerous or unhealthy to which the six-hour day applies. According to § 2 (b) of the Order in application of Decree No. 24 (Order No. 2834 of 2 August 1919), the dangerous and unhealthy undertakings concerned are those enumerated in §§ 14 and 15 of the Health and Safety of Workers' Act of 1917<sup>1</sup>. As

regards the line of division which separates industry from commerce and agriculture, the report states that only agriculture is excluded from the operation of Decree No. 24, and that in view of the difficulties inherent in drawing the line of demarcation between industry, commerce and agriculture, no such line has been defined.

*Chile.* — The Act of 8 September 1924 relating to contracts of employment<sup>1</sup>, under which the Convention is applied, provides in the second paragraph of § 1 as follows: "This Act shall not apply to agricultural or domestic work, nor to work performed in commercial businesses or establishments or in industrial establishments which employ less than ten workers or in which only members of the same family are employed under the control of one of them." The report states that it has not been necessary to define the line of division which separates industry from commerce and agriculture. Hours of work in commerce are regulated by the Legislative Decree of 31 December 1924, so that agriculture alone is excluded.

*Czechoslovakia.* — The Act respecting the eight-hour working day of 19 December 1918<sup>2</sup> applies to undertakings subject to the Industrial Code or carried on as factories, to undertakings, works and institutions carried on by the State, by public or private associations, funds, societies and companies, to mining undertakings, and to persons employed for wages in agriculture and forestry who live outside the household of the employer (§ 1 of the Act).

*Greece.* — The Act No. 2269 of 1 July 1920<sup>3</sup> embodies the text of the Conven-

<sup>1</sup> B. B., 1918, Vol. XIII, p. 26.

<sup>1</sup> L. S., 1924, Chile 2.

<sup>2</sup> L. S., 1919, Cz. 1-3.

<sup>3</sup> O. B., Vol. II, No. 1, p. 20.



tion. For the Deerees issued in application of this Act see under ARTICLE 12.

*India.* — See under ARTICLE 10.

ARTICLE 2 of the Convention is as follows :

The working hours of persons employed in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, shall not exceed eight in the day and forty-eight in the week, with the exceptions hereinafter provided for.

(a) The provisions of this Convention shall not apply to persons holding positions of supervision or management, nor to persons employed in a confidential capacity.

(b) Where by law, custom, or agreement between employers' and workers' organisations, or, where no such organisations exist, between employers' and workers' representatives, the hours of work on one or more days of the week are less than eight, the limit of eight hours may be exceeded on the remaining days of the week by the sanction of the competent public authority, or by agreement between such organisations or representatives; provided, however, that in no case under the provisions of this paragraph shall the daily limit of eight hours be exceeded by more than one hour.

(c) Where persons are employed in shifts it shall be permissible to employ persons in excess of eight hours in any one day and forty-eight hours in any one week, if the average number of hours over a period of three weeks or less does not exceed eight per day and forty-eight per week.

*Bulgaria.* — The Eight and Six Hour Day Decree limits the hours of work of adult workers to eight in the day and forty-eight in the week except in undertakings which are dangerous to the health or life of the worker, where the work is limited to six hours in the day. Bulgarian legislation does not appear to contain the exceptions provided for in paragraphs (a) and (b). As regards paragraph (c), see under ARTICLE 4.

*Chile.* — The Act of 8 September 1924, which appears to apply to all industrial undertakings employing ten or more workers, other than undertakings in which only members of the same family are employed, provides in § 11 as follows : "The normal hours of actual work of each worker, irrespective of sex, shall not exceed eight in the day or forty-eight in the week. This provision shall not apply to persons occupying a post with supervisory, directive or confidential functions. Subject to the conclusion of an agreement between the employer and the workers in an industrial undertaking, a weekly half-day holiday may be introduced therein; in this case the limit of eight hours may be exceeded on the other days of the week, subject to a maximum of forty-eight hours in the week." Equivalent provisions to those of Article 2 (c) are not contained in this Act, and it would appear from the report that where the three-shift system has been introduced

the normal limitation of working hours is observed.

*Czechoslovakia.* — § 1 (1) of the Eight-Hour Day Act provides that "the actual hours of work of workers shall, in principle, not exceed 8 hours within 24 hours or 48 hours in the week." No provisions concerning the categories covered by paragraph (a) are contained in the Act. As regards paragraph (b), § 3 (1) of the Act provides that "the distribution of the daily and weekly hours of work and the fixing of definite breaks in work shall be a matter for agreement between the employers and the workers." In the Circular of the Ministry of Social Welfare of 21 March 1919<sup>1</sup> respecting the interpretation of the Act, this provision is amplified as follows : "The hours of work were fixed in principle only at eight per diem exclusive of breaks; a definite limitation is prescribed, namely, that the hours of work shall not exceed 48 in one week. Subject to this limitation, work may be distributed between the separate days of the week in any way that is convenient, by agreement with the workers; so that more than eight hours may be worked on certain days of the week in order that hours may be shorter on some particular day, e.g., Saturday." The exception provided for in paragraph (c) does not appear to be admitted by Czechoslovak legislation.

*Greece.* — § 2 of the Act of 19 November-2 December 1911 (No. 3934) respecting the hygienic conditions and the safety of workers and respecting working hours<sup>2</sup> provides that by special Decrees "issued upon the proposal of the Superior Labour Council the working hours and periods of rest shall be periodically regulated for every industrial undertaking according to its particular nature." The ratifying Act of 1-14 July 1920 further lays down that the provisions of the Convention shall be incorporated by Decree in the existing laws. Under these legislative provisions Decrees have been issued in respect to the undertakings enumerated under ARTICLE 12 stipulating that the hours of work shall not exceed eight in the day and forty-eight in the week. No reference is made in these Decrees to the exceptions provided for in paragraphs (a), (b) and (c).

*India.* — For the general conditions of application of the Convention to India see under ARTICLE 10. As regards the exception provided for in paragraph (a), § 29 of the Factories Act of 24 March 1911 as subsequently amended<sup>3</sup> and § 24 of the Mines Act of 23 February 1923<sup>4</sup> repro-

<sup>1</sup> L. S., 1919, Cz. 1-3.

<sup>2</sup> B. B., Vol. VII, 1912, p. 282.

<sup>3</sup> L. S., 1926, Ind. 2.

<sup>4</sup> L. S., 1923, Ind. 3.



duce the provision of the Convention. The provisions of paragraphs (b) and (c) have no application to India.

ARTICLE 3 of the Convention is as follows :

The limit of hours of work prescribed in Article 2 may be exceeded in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of "force majeure", but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

*Bulgaria.* — § 8 of the Order of 2 August 1919, issued in application of Decree No. 24, provides that "in exceptional and unforeseen cases such as fires, explosions, breakage of machinery or pipes, cases in which certain damage or danger is threatened to the undertaking or the staff, hours of work may exceed eight or six hours a day". In such cases the workers have a right to compensatory rest.

*Chile.* — § 12 of the Act of 8 September 1924 provides that "the eight-hour day may be exceeded in case of actual or impending accidents, urgent repairs to plant, machinery or tools, *force majeure* or a chance event, in so far as is necessary to avoid interference with the normal working of the establishment or undertaking."

*Czechoslovakia.* — § 6 (1) of the Act provides that permits may be issued for prolonging hours of work by not more than two hours a day and during not more than sixteen weeks of the year when extra work is necessary owing to an interruption caused by *force majeure* or accidents, or in the public interest, or for other important reasons, and if no other measures are practicable. Further, the general limitation of overtime specified in § 6 (4) does not apply to emergency work, especially repairs, where danger to life, health, and the public interest is involved, provided that such work is only carried on for a limited period unavoidably necessary for technical reasons and cannot be carried out during the usual hours of work.

*Greece.* — Some of the Greek Decrees make special reference to these classes of exceptions. In other cases they appear to be covered by the ordinary provisions relating to exceptions.

*India.* — According to § 30 (3) of the Factories Act, the limitation of hours of work does not apply to work on urgent repairs. In the case of mines, the Mines Act provides that a mine manager may permit persons to be employed in excess of the statutory working hours on such work as may be necessary to protect the safety of the mine or of the persons employed therein.

ARTICLE 4 of the Convention is as follows

The limit of hours of work prescribed in Article 2 may also be exceeded in those processes which are required by reason of the nature of the process to be carried on continuously by a succession of shifts, subject to the condition that the working hours shall not exceed fifty-six in the week on the average. Such regulation of the hours of work shall in no case affect any rest days which may be secured by the national law to the workers in such processes in compensation for the weekly rest day.

*Bulgaria.* — The report states that the only exception permitted to the principle of Decree No. 24 of 1919 in virtue of Article 4 is in the case of work carried on in shifts in undertakings subject to the eight-hour day, when a fifty-six hour week may be worked.

*Chile.* — The report states that "the Chilean Act which introduced the eight-hour day did not provide exceptions for industries in which work is necessarily continuous. The industries have respected these provisions, introducing the three-shift system for processes which cannot be interrupted, as for example in glass-works."

*Czechoslovakia.* — § 4 (3), (4) and (5) of the Eight-Hour Day Act provides that, in certain groups of continuous undertakings, specified by the Minister for Social Welfare, "when it would not be otherwise possible to alternate the shifts (alternation of the night and day shifts) and the work cannot be interrupted for technical reasons without considerable disturbance to the manufacturing process, and attention and supervision are necessary," the daily or weekly hours of work fixed in § 1 may be extended provided that the shifts are so arranged that the 32 hours' period of rest of each worker falls on Sunday at least every third week and that the hours by which the weekly 48 hours of work are exceeded are paid as overtime. In the interpretive Circular of 21 March 1919 it explains that this system is only to be employed where it is impossible to ensure alternation of shifts by means of a relief shift. It is further pointed out that the effect is "that one shift is allowed the 32 hours' period of rest during Saturday and Sunday, while the other two shifts work 16 hours each without a break. The period of rest for these two shifts is thus reduced to 24 hours in the week in question, and the working hours of all three shifts are extended from 48 to 56."

*Greece.* — The Greek Decrees contain no provisions analogous to those of this Article.

*India.* — This Article does not apply to India. It may, however, be noted that the Indian Factories Act does not permit exceptions from the provision relating to the sixty-hour week in respect



of continuous processes. Further, as regards the weekly rest in continuous processes, § 30 (1) of the Factories Act empowers the Local Government, subject to the control of the Governor General in Council, to exempt, on such conditions, if any, as it may impose, work which necessitates continuous production for technical reasons from the operation of the provisions of § 22 (1) which prescribes that "no person shall be employed in any factory on a Sunday, unless (a) he has had, or will have, a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday..." and provided that no substitution of another day for Sunday "shall be made as will result in any person working for more than ten consecutive days without a holiday for a whole day."

*ARTICLE 5 of the Convention is as follows :*

In exceptional cases where it is recognised that the provisions of Article 2 cannot be applied, but only in such cases, agreements between workers' and employers' organisations concerning the daily limit of work over a longer period of time may be given the force of regulations, if the Government, to which these agreements shall be submitted, so decides.

The average number of hours worked per week over the number of weeks covered by any such agreement shall not exceed forty-eight.

*Bulgaria.* — The Government reports that the Eight and Six-Hour Day Decree does not permit such arrangements as are contained in Article 5 of the Convention.

*Chile.* — The report states that no special agreements, such as are provided for in Article 5, have been made between employers and workers in Chile.

*Czechoslovakia.* — § 1 (5) of the Act provides that the Minister for Social Welfare in agreement with the Ministers concerned may allow for particular groups of undertakings, especially transport and agricultural undertakings, an arrangement of hours differing from the normal arrangement provided that the total number of hours of work over a period of four weeks does not exceed 192 hours. The Circular of 21 March 1919 defines the occupations which may be permitted to benefit by this arrangement as those "in which hours of work are usually extremely long, on account of the nature of the processes involved, so that 48 working hours cannot conveniently be spread over a week." A list of such undertakings is given in the Order of 11 January 1919.

*Greece.* — Such arrangements are not permitted in the industries provided for by the Decrees.

*India.* — This Article does not apply.

*ARTICLE 6 of the Convention is as follows :*

Regulations made by public authority shall determine for industrial undertakings :

(a) The permanent exceptions that may be allowed in preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of an establishment, or for certain classes of workers whose work is essentially intermittent.

(b) The temporary exceptions that may be allowed, so that establishments may deal with exceptional cases of pressure of work.

These regulations shall be made only after consultation with the organisations of employers and workers concerned, if any such organisations exist. These regulations shall fix the maximum of additional hours in each instance, and the rate of pay for overtime shall not be less than one and one-quarter times the regular rate.

*Bulgaria.* — The Government reports that the exceptions provided for in Article 6 of the Convention are not permitted by Decree No. 24, and that such exceptions are treated as contraventions rendering employers who make use of them liable to fines.

*Chile.* — The report states that no regulations have been made for the purpose of determining the permanent and temporary exceptions referred to in Article 6 of the Convention. It may be noted, however, that § 13 of the Act of 8 September 1924 provides that "the workers may agree to longer actual hours of work, subject to payment for overtime, provided that the actual hours of work shall not exceed ten in the day and shall be separated by a rest period of not less than ten hours between one working day and another."

*Czechoslovakia.* — Permanent exceptions are permitted by § 7 (1) and (2) of the Eight-Hour Day Act in the case of subsidiary operations which must necessarily precede or follow work and for the handing over of work where this is necessary in the interests of continuity. Under § 7 (4) these additional hours of work must be paid for as overtime. For essentially intermittent work, the Czechoslovak Act, in § 7 (3), provides that in undertakings serving a public need the regular hours of work of particular groups of workers may be extended if the work does not occupy more than six hours a day although the worker has to remain on duty for longer hours. This extension can only be made in virtue of collective agreements sanctioned by the Minister for Social Welfare. The regulation of hours of work of railway-workers, however, is decided by the Minister for Railways, after consultation with the workers. § 7 (4) provides that additional hours worked in virtue of these provisions are to be paid for as overtime. As regards temporary exceptions in cases of pressure of work, permission to work overtime not exceeding two hours a day during not more than sixteen weeks



in the year may be granted in virtue of § 6 of the Act by specified authorities if no other measures are practicable. The interpretative Circular further lays down that before permits are issued it should be considered whether the need for extra work can be met by increasing the number of workers, to the extent of working two shifts. § 6 (4) fixes the maximum amount of overtime which may be permitted: "Overtime shall not extend altogether beyond 20 weeks or 240 hours in the year."

*Greece.* — No permanent exceptions are permitted in the industries covered by the Decrees. Temporary exceptions are authorised to the following extent in the Decrees of which the Office has received the texts: In cases of exceptional pressure of work in factories for the manufacture of leather goods and trunks, and in confectionery establishments, the normal limits may be exceeded by not more than two hours in the day and twelve in the week for a maximum total period in the year of two months by order of the Prefect on the recommendation of the factory inspection authority or by the chief of police of the district. In tobacco factories, in the same circumstances, the normal limits may be exceeded by not more than two hours in the day and twelve in the week for a maximum total period of one month in the year by order of the Prefect on the recommendation of the factory inspection authority or in default thereof of the manager of the tobacco factory. In the Decrees relating to the paper and printing industries no such exceptions are provided for.

*India.* — As regards permanent exceptions § 30 (1) of the Indian Factories Act empowers the Local Government, subject to the control of the Governor General in Council, to exempt, on such conditions, if any, as it may impose, preparatory and complementary and essentially intermittent work from the operation of the provision for a sixty-hour week and eleven-hour day. As regards mines, it is provided in § 46 of the Mines Act that the Governor General in Council may, by notification in the Gazette of India, exempt any local area or any mine or group or class of mines or any part of a mine or any class of persons from the operation of all or any specified provisions of the Act, and, on the occurrence of any public emergency, a Local Government may, by an order in writing, confer any exemption which might be conferred by the Governor General in Council. As regards temporary exceptions, § 30 (2) of the Factories Act authorises the Local Government, by general or special order, to exempt for such period as may be specified in the order and on such conditions, if any, as it may impose, any factory from all or any of the provisions of §§ 21, 22, 27 and 28 relating to hours of work, breaks and

weekly rests, on the ground that such exemption is necessary in order to enable the factory to deal with an exceptional press of work. Under § 31 of the Factories Act, hours worked in excess of sixty in any one week in virtue of exemptions granted for complementary and preparatory work, intermittent work, continuous processes, production of articles of prime necessity, or seasonal industries, are to be remunerated at a rate at least one and a quarter times the regular rate.

#### ARTICLE 7 of the Convention is as follows:

Each Government shall communicate to the International Labour Office:

(a) A list of the processes which are classed as being necessarily continuous in character under Article 4;

(b) Full information as to working of the agreements mentioned in Article 5; and

(c) Full information concerning the regulations made under Article 6 and their application.

The International Labour Office shall make an annual report thereon to the General Conference of the International Labour Organisation.

*Bulgaria.* — As regards paragraph (a) the Government has not yet communicated to the Office a list of continuous processes. The application of paragraphs (b) and (c) does not arise as the exceptions permitted by Articles 5 and 6 are not provided for in Bulgarian legislation.

*Chile.* — See the observations under ARTICLES 4, 5 and 6.

*Czechoslovakia.* — As regards paragraph (a), the list of undertakings "in which the process is continuous" and which are permitted, "for the purpose of the alternation of shifts, to extend the daily or weekly hours" on condition "that the employed persons shall have their 32 hours' weekly rest at least every third week on a Sunday, and that the hours by which the weekly total of 48 hours is exceeded when the shifts are alternated shall be paid for as overtime", is given in the Order of 11 January 1919 as follows:

- (1) Ironworks.
- (2) Metal works.
- (3) Enamelling works.
- (4) Lime kilns, plaster of Paris, magnesite, dolomite works.
- (5) Brick works, works for the manufacture of fireproof stones, carborundum and emery wheels.
- (6) Kaolin washing works.
- (7) Pottery works.
- (8) Glass works.
- (9) Works for the manufacture of carbon electrodes and other objects made from plastic carbon.
- (10) Works for the manufacture of goods from wood fibre.
- (11) Works for the manufacture of accumulators.
- (12) Works for the manufacture of cork sheets.
- (13) Works for the manufacture of wood fibre cellulose.



- (14) Water mills and windmills.
- (15) Malt works and breweries.
- (16) Works for the drying and sulphurating of hops.
- (17) Sugar factories.
- (18) Liquorice works.
- (19) Syrup and grape sugar (starch sugar) works.
- (20) Drying works for chicory, beet, potatoes, vegetables and fruit.
- (21) Jam, fruit pulp, and sausage factories.
- (22) Spirit distilleries and refineries, yeast works.
- (23) Starch works.
- (24) Winning of natural mineral waters and their salts.
- (25) Chemical works.
- (26) Fat works.
- (27) Petroleum refineries and kerosene works.
- (28) Works for the manufacture of gas for light, heat and power.
- (29) Independent electrical works, and electrical works which only form a subsidiary part of an undertaking.

With regard to paragraph (b), the working of agreements under Article 5 of the Convention, the Czechoslovak Government has reported that in virtue of § 1, sub-section 5 of the Act, the Order for the application of the Eight-Hour Day Act provides that in the following

undertakings the arrangement of hours of work may be spread over a period of four weeks, provided that the total number of hours of work within this period does not exceed 192 hours :

- (1) Tile works.
- (2) Glass works with continuous furnaces.
- (3) Pottery works in which melting and muffle furnaces are used.
- (4) Foundries, for work in connection with cupola furnaces.
- (5) Mills and saw works driven by water.
- (6) Breweries in the summer.
- (7) The manufacture of soda-water in the summer.
- (8) Building operations in work on the building site.
- (9) Waterworks.
- (10) Work in connection with the procuring of natural ice.
- (11) Forwarding and transport undertakings.
- (12) River and sea baths.
- (13) Electricity works.
- (14) Lumbering.

As regards the information required by paragraph (c), see under ARTICLE 6. The Czechoslovak Government has supplied the following figures of the amount of overtime permitted :

YEAR	1921	1922	1923	1924	1925	1926
Total undertakings working overtime	1262	902	1509	3501	3872	3606
Proportion (total number of Czechoslovak undertakings estimated at 500,000)	0.25%	0.18%	0.30%	0.70%	0.77%	0.59%
Workers employed in undertakings working overtime	209,000	140,000	273,000	687,130	812,459	607,987
Total number of workers working overtime	75,000	41,000	80,800	224,663	244,775	176,717
Proportion (total number of Czechoslovak workers estimated at 1,500,000) <sup>1</sup>	5 %	2.73%	5.38%	14.96%	16.3%	13.73%
Total amount of overtime in working days	360,000	234,000	401,000	1,280,011	1,782,390	1,147,755
Total amount of overtime in working weeks	60,000	39,000	66,800	213,335	297,065	191,292.5

<sup>1</sup> The 1926 report states that the total number of workers covered by accident insurance is 1,287,019. The percentage shown in the 1926 column has been calculated on the basis of this figure.

*Greece.* — The application of paragraphs (a) and (b) does not yet arise as the exceptions permitted by Articles 4 and 5 are not provided for in the Greek Decrees hitherto issued. As regards paragraph (c), see under ARTICLE 6.

*India.* — As regards paragraph (a), no exceptions to the sixty-hour week are permitted by the Indian Factories Act for continuous processes. As regards paragraph (b), the question of the working of agreements under Article 5 does not arise. The information required by paragraph (c) is summarised under ARTICLE 6.

#### ARTICLE 8 of the Convention is as follows :

In order to facilitate the enforcement of the provisions of this Convention, every employer shall be required :

(a) To notify by means of the posting of notices in conspicuous places in the works or other suitable place, or by such other method as may be approved by the Government, the hours at which work begins and ends, and where work is carried on by shifts, the hours at which each shift begins and ends. These hours shall be so fixed that the duration of the work shall not exceed the limits prescribed by this Convention, and when so notified they shall not be changed except with such notice and in such manner as may be approved by the Government.



(b) To notify in the same way such rest intervals accorded during the period of work as are not reckoned as part of the working hours.

(c) To keep a record in the form prescribed by law or regulation in each country of all additional hours worked in pursuance of Articles 3 and 6 of this Convention.

It shall be made an offence against the law to employ any person outside the hours fixed in accordance with paragraph (a), or during the intervals fixed in accordance with paragraph (b).

*Bulgaria.* — It is provided in § 14 of the Order of 2 August 1919, issued in application of Decree No. 24, that every undertaking must insert provisions in its works regulations corresponding to those of the aforesaid Decree relating to hours of work and rest. For penalties see under *Enforcement of legislation*.

*Chile.* — § 27 of the Act of 8 September 1924 provides that "the manager of every undertaking, factory or workshop covered by this Act shall make known, by means of notices affixed in a conspicuous manner as laid down in the regulations under this Act, the rules of employment of the factory, workshop or mine, the hours of beginning and ending work, and, where work is carried out in shifts or gangs, the hours of beginning and ending work of each shift or gang. The hours of work shall be fixed in such a manner as not to exceed the limits laid down in the preceding sections, and after they have been fixed shall not be altered except in the manner and subject to the affixing of notices laid down in the regulations under this Act. The above-mentioned notices shall state the times of the breaks during working hours referred to in § 14. The rules of employment shall also specify the types of wages for the various kinds of work and the fines which may be imposed." It is further provided in § 28 that the managers of mining and industrial undertakings must communicate every six months to the administrative authorities and to the General Labour Directorate information relating to the workers employed, the kind of work performed, wages, hours of work and changes in hours of work and wages. For penalties, see under *Enforcement of legislation*.

*Czechoslovakia.* — The Industrial Code prescribes that workshop regulations must be posted in all undertakings employing more than 20 workers specifying *inter alia* the working days, hours at which work begins and ends, and times of breaks. For penalties see under *Enforcement of legislation*.

*Greece.* — The Decrees provide that in every establishment time tables are to be posted containing the names and exact occupations of the persons employed therein, the hours of the beginning and cessation of work and breaks (if any); such time-tables are countersigned by the inspecting authority or, in default thereof,

by the competent police authorities. For penalties see under *Enforcement of legislation*.

*India.* — §§ 35 and 36 of the Indian Factories Act and §§ 28, 32 and 33 of the Mines Act contain provisions to give effect to this Article. For penalties see under *Enforcement of legislation*.

ARTICLE 10 of the Convention is as follows:

In British India the principle of a sixty-hour week shall be adopted for all workers in the industries at present covered by the factory acts administered by the Government of India, in mines, and in such branches of railway work as shall be specified for this purpose by the competent authority. Any modification of this limitation made by the competent authority shall be subject to the provisions of Articles 6 and 7 of this Convention. In other respects the provisions of this Convention shall not apply to India, but further provisions limiting the hours of work in India shall be considered at a future meeting of the General Conference.

*India.* — In execution of this Article the Government of India has caused legislation to be enacted introducing the following limitations of working hours:

(a) In *factories*, which are defined in § 2 (3) of the Factories Act as "any premises wherein, or within the precincts of which, on any one day in the year not less than twenty persons are simultaneously employed and steam, water or other mechanical power or electrical power is used in aid of any manufacturing process<sup>1</sup>" or "any premises wherein, or within the precincts of which, on any one day in the year not less than ten persons are simultaneously employed and any manufacturing process is carried on, whether any such power is used in aid thereof or not, which have been declared by the Local Government, by notification in the local official Gazette, to be a factory", no person may be employed for more than sixty hours in any one week (§ 27) or more than eleven hours in any one day (§ 28).

(b) In *mines*, which are defined in the Mines Act as "any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on", and including "all works, machinery, tramways, and sidings, whether above or below ground, in or adjacent to or belonging to a mine: provided that it shall not include any part of such premises on which a manufacturing process is being carried on unless such process is a process for coke making or the dressing of minerals", no person may be employed for more than six days in

<sup>1</sup> The expression "manufacturing process" is defined in § 2 (4) as "any process for or incidental to, (a) making, altering, repairing, ornamenting, finishing, or otherwise adapting for use, transport or sale, any article, or part of an article, or (b) refining oil or pumping or filtering water, or (c) supplying, generating or transforming pneumatic, hydraulic or electrical energy, and includes the baling of any material for transport."



any one week and, above ground, for more than sixty hours in any one week, or, below ground, for more than fifty-four hours in any one week (§ 23). (c) As regards *railways*, Article 10 prescribes that the sixty-hour week should be adopted "in such branches of railway work as shall be specified for this purpose by the competent authority". In pursuance of this provision the Government of India decided, by Order of 3 September 1921, that the sixty-hour week should be adopted for workshop staff and station staff not employed in connection with the working of trains. By a later decision of 21 January 1922, the above Order was modified with the effect of excluding the following classes of electrical workers on railways: (i) Running and maintenance staff of power-house; (ii) Maintenance staff in shops who can be classed as millwrights; (iii) Maintenance staff on outside work who are required to work on maintenance of electric installation, distribution mains, etc. As regards the application of Articles 6 and 7 to the limitations to the sixty-hour week principle which have been made by the Government of India, see under ARTICLE 6 and ARTICLE 7 above.

*ARTICLE 12 of the Convention is as follows :*

In the application of this Convention to Greece, the date at which its provisions shall be brought into operation in accordance with Article 19 may be extended to not later than 1 July, 1923, in the case of the following industrial undertakings :

- (1) Carbon-bisulphide works,
- (2) Acids works,
- (3) Tanneries,
- (4) Paper mills,
- (5) Printing works,
- (6) Sawmills,
- (7) Warehouses for the handling and preparation of tobacco,
- (8) Surface mining,
- (9) Foundries,
- (10) Lime works,
- (11) Dye works,
- (12) Glassworks (blowers),
- (13) Gas works (firemen),
- (14) Loading and unloading merchandise ;

and to not later than 1 July, 1924, in the case of the following industrial undertakings :

- (1) Mechanical industries : Machine shops for engines, safes, scales, beds, tacks, shells (sporting), iron foundries, bronze foundries, tin shops, plating shops, manufactories of hydraulic apparatus ;
- (2) Constructional industries : Lime-kilns, cement works, plasterers' shops, tile yards, manufactories of bricks and pavements, potteries, marble yards, excavating and building work ;
- (3) Textile industries : Spinning and weaving mills of all kinds except dye works ;
- (4) Food industries : Flour and grist-mills, bakeries, macaroni factories, manufactories of wines, alcohol, and drinks, oil works, breweries, manufactories of ice and carbonated drinks, manufactories of confectioners' products and chocolate, manufactories of sausages and preserves, slaughterhouses, and butcher shops ;
- (5) Chemical industries : Manufactories of synthetic colours, glassworks (except the blowers), manufactories of essence of turpentine and tartar,

manufactories of oxygen and pharmaceutical products, manufactories of flaxseed oil, manufactories of glycerine, manufactories of calcium carbide, gas works (except the firemen) ;

(6) Leather industries : Shoe factories, manufactories of leather goods ;

(7) Paper and printing industries : Manufactories of envelopes, record books, boxes, bags, bookbinding, lithographing, and zinc-engraving shops ;

(8) Clothing industries : Clothing shops, underwear and trimmings, workshops for pressing, workshops for bed coverings, artificial flowers, feathers, and trimmings, hat and umbrella factories ;

(9) Woodworking industries : Joiners' shops, coopers' sheds, wagon factories, manufactories of furniture and chairs, picture-framing establishments, brush and broom factories ;

(10) Electrical industries : Power houses, shops for electrical installations ;

(11) Transportation by land : Employees on railroads and street cars, firemen, drivers, and carters.

*Greece.* — The provisions of the Convention were incorporated in national legislation by the ratifying Act (No. 2269) of 1 July 1920,<sup>1</sup> which provided that Decrees should be issued to secure the application of the Convention. The Government reports that, in pursuance of this provision, Decrees have been promulgated regulating the hours of work in :

- tanneries<sup>2</sup>,
- printing works<sup>2</sup>,
- manufacture of confectionery and chocolate<sup>3</sup>,
- manufacture of leather goods and trunks<sup>3</sup>,
- paper and printing industries (manufacture of envelopes, record books, boxes, bags, and bookbinding, lithographing and zinc-engraving shops)<sup>4</sup>,
- tobacco factories (defined as enclosed spaces where tobacco is cut or packed in boxes or made up into cigarettes)<sup>4</sup>,
- paper-making industry,
- underground work in mines,
- manufactures of lead shot and lead pipes,
- manufacture of cement squares.

The Government further reports that the application of the eight-hour day has also been approved by the Superior Labour Council in the case of the following undertakings : corn mills where rollers are used, slaughterhouses and butcher shops, dye works, generation and transmission of electricity, glassworks (blowers), gas works (firemen), carbon-bisulphide works. The report adds, however, that the application of the eight-hour day in these undertakings has been postponed in consequence of the troubled conditions through which Greece has passed in 1926.

<sup>1</sup> O. B., Vol. II, No. 1, p. 20.

<sup>2</sup> L. S., 1924, Gr. 1.

<sup>3</sup> L. S., 1925, Gr. 2.

<sup>4</sup> L. S., 1924, Gr. 4.



ARTICLE 13 of the Convention is as follows :

In the application of this Convention to Rumania the date at which its provisions shall be brought into operation in accordance with Article 19 may be extended to not later than 1 July, 1924.

*Rumania.* — See introductory statement above.

ARTICLE 14 of the Convention is as follows :

The operation of the provisions of this Convention may be suspended in any country by the Government in the event of war or other emergency endangering the national safety.

*Bulgaria.* — No application has been made of this Article.

*Chile.* — The report states that it has not been necessary to make use of this Article.

*Czechoslovakia.* — No application has been made of this Article.

*Greece.* — The report states that the application of the Convention was adjourned to one year after the signature of the Treaty of Lausanne, this action being necessitated by the long period of war through which the country had passed and the settlement in the country of the refugees whose numbers equal one-quarter of the native population. See also under ARTICLE 12.

*India.* — No application has been made of this Article.

### III. Enforcement of legislation.

*Bulgaria.* — The application of the Bulgarian Decree is entrusted to the factory inspectors under the control of the Ministry of Commerce, Industry and Labour. Under § 27 of the Act respecting the health and safety of workers<sup>1</sup> inspectors possess the right of entry into all undertakings subject to the Act as well as that of questioning the workers. For contraventions of the Decree fines may be imposed not exceeding 250 levas for each worker and not exceeding a total of 5000 levas for the first offence or 10,000 levas for any subsequent offence.

*Chile.* — The report states that the Ministry of Labour, which was set up by a Legislative Decree of 14 October 1924, supervises the application of all social legislation through the General Labour Directorate. This department was created by the Act of 8 September 1924; regulations dealing with its organisation have not yet been issued, but a Bill relating to this matter was submitted to Congress on 14 November 1926. §§ 38 and 39 of the Act of 8 September 1924, which lay down

the duties of the Directorate, provide *inter alia* that it shall “organise and direct the inspection and supervision of labour with a view to securing strict observance of the provisions of this Act and other Acts of a social character,” and that “labour inspectors shall have the right to inspect establishments covered by this Act at the times and in the circumstances laid down in the regulations, and also whenever requested in case of complaint, for the sole purpose of supervising the strict application of this Act and reporting to the competent authority any irregularities which they may observe.” The penalties for contraventions of the Act of 8 September 1924 are fines of not less than 50 and not more than 500 pesos (§ 42).

*Czechoslovakia.* — The supervision of the Eight-Hour Act devolves upon the factory inspectors as regards industry and upon the mines inspectors as regards mines. The works’ committees established in virtue of the Works’ Committees Act<sup>1</sup> in undertakings employing not less than 30 persons regularly throughout the year, and the mines councils established in virtue of the Mines Councils Act<sup>2</sup> in independent undertakings in the mining industry, with the exception of blast furnaces, in which not less than 20 workers are employed and which exist for not less than six months, are also empowered to watch the application of the Act. Inspectors have the right of entry into all work places at any time other than during the night unless the undertaking is then working. The employer or his representative is entitled to accompany an inspector and the works committee, which must be informed of an inspector’s arrival, may appoint one of its members to take part in all investigations and enquiries that an inspector may make (§§ 3 (e) and 4 (b) of the Works’ Committees Act). Contraventions are punishable under § 13 of the Eight-Hour Act by fines not exceeding 2000 kr. or, in default, by imprisonment for not more than three months, for the first offence; for subsequent offences, fines not exceeding 5000 kr. or imprisonment for not more than six months may be imposed. The 1926 report states that the inspectors mention in their reports, which are published each year, that the legal working hours are generally exactly observed in large-scale factories and industries. It is more especially in small industries, and particularly small country industries and handicrafts, that contraventions occur; but even here the constant activity of the competent authorities has succeeded to a great extent in effecting an improvement.

<sup>1</sup> L. S., 1921, Cz. 4.

<sup>2</sup> L. S., 1920, Cz. 3-5.

<sup>1</sup> B. B., Vol. XIII, 1918, p. 26.



*Greece.* — The application of the laws and regulations is supervised by the factory inspectors who work under the control of the Ministry of National Economy. Alleged contraventions of the Decrees are dealt with by the police court for the district on information which may be given by any private individual or organisation of workers, by the police authorities or by the factory or mines inspectorate. According to § 3 of the Act of 1911, as amended by § 6 of the Act of 5 June 1920<sup>1</sup> and § 1 of the Act of 29 July 1922<sup>2</sup>, the penalties for each contravention may vary from fines of from 300 drachmas to fines of 3,000 drachmas and imprisonment for not more than six months (unless heavier penalties are indicated under the Penal Code). The fine is multiplied for each contravention, provided that the total amount does not exceed 10,000 drachmas. Double penalties are imposed in cases of repetition of an offence within two years of the first sentence.

*India.* — The Factories Act is administered by the Local Governments, subject to the control of the Governor General in Council, through their factory inspectors. It is the Local Governments who are empowered to make rules for the application of the Act, although a model set of rules was drawn up by the Government of India in 1922 and communicated to the Local Governments for their guidance. In addition to the factory inspectors the Local Governments may, under § 4 (4), appoint other public officers to act as inspectors and the District Magistrates are all inspectors under the Act. The Mines Act is administered by the Government of India through inspectors of mines who are appointed for the whole of British India by the Governor General in Council (§ 4). Nevertheless, the Local Governments may appoint mining boards and committees which may exercise such of the powers of the inspectors as they may consider necessary for the purpose of deciding or reporting upon any matter referred to them (§§ 10-12) and the District Magistrates may exercise certain of the powers and perform certain of the duties of inspectors, subject to the general or special orders of the Local Government. In the case of railways, the authority for the enforcement of application is the agent of the line. Factory inspectors have the right of entry, of examination, of taking evidence and generally of exercising such other powers as may be necessary for carrying out the purposes of the Factories Act (§ 5). They may take proceedings before certain specified courts against persons contravening the provisions of the Act and penalties, which may extend to 500 rupees for the first offence

and may be increased in certain circumstances in the case of repetitions of an offence, may be imposed (§§ 41-49). The powers of mines inspectors and the penalties for contraventions of the Mines Act are to a great extent analogous to the powers of factory inspectors and to the penalties imposable for breaches of the Factories Act.

#### IV. *Application to colonies, etc.*

The question does not arise in the case of the present reporting countries.

#### Convention concerning unemployment.

##### I.

This Convention first came into force on 14 July 1921. Reports on the application of its provisions in respect of the year ended 31 December 1926 have been received from *South Africa, Austria, Bulgaria, Denmark, Estonia, Finland, France, Germany, Great Britain, Greece, India, Irish Free State, Italy, Japan, Norway, Poland, Rumania, Spain, Sweden and Switzerland.*

In the report of the Government of *Finland* it is stated that a new Employment Exchanges Act of 27 March 1926<sup>1</sup> has been enacted to replace the Order of 2 November 1917. Further, the Resolution of the Council of State of 9 July 1919 concerning the supervision of employment exchanges and the organisation of co-operation between communal and other agencies has been replaced by a Decision of the Council of State of 22 April 1926<sup>1</sup> relating to the supervision of employment exchanges and the subsidies to be granted to employment exchanges and agents. These measures came into force on 1 January 1927.

The report of the *Greek* Government states that the Convention was put into effect by Act No. 2270 of 1 July 1920. This Act contained the text of the Convention and prescribed in § 3 that the provisions of the Convention should be incorporated by Royal Decree in the existing laws. It is further stated that the Ministry of National Economy, by its Circular No. 23 of 16 July 1920 to all competent authorities, explained the purpose of Act No. 2270 and invited those authorities to communicate its contents to the workers' and employers' organisations and to endeavour to explain its provisions to them. A Bill for the creation of a system of compulsory unemployment insurance in Greece will shortly be sub-

<sup>1</sup> L. S., 1920, Gr. 5.

<sup>2</sup> L. S., 1922, Gr. 4.

<sup>1</sup> L. S., 1926, Fin. 1.

mitted to the Chamber of Deputies. This Bill provides that the free employment exchange service is to be attached to, and co-ordinated by, the insurance system. (See also the introductory note to the summary of the reports on the *Hours Convention*.)

The Government of *Italy* states in the annual report that “the question of the organisation of employment exchanges is at present being examined with a view to a complete reform which will bring the organisation of the exchanges into harmony with the system of associations created by the Act of 3 April 1926<sup>1</sup>, and will take account of the duties which are imposed in this regard upon the

<sup>1</sup> L.S., 1926, It. 2.

central co-ordinating bodies now being set up by the regulations issued in application of the aforesaid Act by the Royal Decree of 1 July 1926 (No. 1130).”

The *Japanese* Government reports that the supervision of the operations of fee-charging employment agencies had formerly been entrusted to the authorities of the Prefectures, but in order to attain uniformity in supervision the Regulations for fee-charging employment agencies (Regulations of the Department of Home Affairs, No. 30) were enacted on 19 December 1925, and enforced on 1 January 1927.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.	Date for application of provisions.	Last report received.
South Africa . . . . .	20. 2. 1924	9. 4. 1924	2. 3. 1927
Austria . . . . .	12. 6. 1924	20. 7. 1924 <sup>1</sup>	11. 3. 1927
Bulgaria . . . . .	14. 2. 1922	1. 1. 1926 <sup>2</sup>	19. 3. 1927
Denmark . . . . .	13. 10. 1921	2. 11. 1921	17. 2. 1927
Estonia . . . . .	20. 12. 1922	20. 12. 1922	7. 2. 1927
Finland . . . . .	19. 10. 1921	19. 10. 1921	21. 2. 1927
France . . . . .	25. 8. 1925	25. 8. 1925	4. 5. 1927
Germany . . . . .	6. 6. 1925	6. 6. 1925	21. 2. 1927
Great Britain . . . . .	14. 7. 1921	14. 7. 1921	11. 2. 1927
Greece . . . . .	19. 11. 1920	14. 7. 1921 <sup>3</sup>	26. 2. 1927
India . . . . .	14. 7. 1921	14. 7. 1921	24. 2. 1927
Irish Free State . . . . .	4. 9. 1925	4. 9. 1925	9. 3. 1927
Italy . . . . .	10. 4. 1923	27. 6. 1923	19. 3. 1927
Japan . . . . .	23. 11. 1922	1. 4. 1923	1. 3. 1927
Norway . . . . .	23. 11. 1921	23. 11. 1921	12. 2. 1927
Poland . . . . .	21. 6. 1924	21. 6. 1924 <sup>4</sup>	18. 3. 1927
Rumania . . . . .	13. 6. 1921	30. 9. 1921	21. 3. 1927
Spain . . . . .	4. 7. 1923	4. 7. 1923	13. 4. 1927
Sweden . . . . .	27. 9. 1921	27. 9. 1921	17. 2. 1927
Switzerland . . . . .	9. 10. 1922	10. 10. 1922	10. 2. 1927

<sup>1</sup> In accordance with Article 49 of the Constitution, the Convention was published in the *Bundesgesetzblatt* of 19 July 1924 and came into force the next day.  
<sup>2</sup> Date of coming into force of the Act of 12 April 1925.

<sup>3</sup> General date of coming into force of the Convention. The Greek report, however, indicates that the date of coming into effect in Greece was 10 July 1920.  
<sup>4</sup> The report indicates that the provisions of the Convention have been applied since 23 January 1924.

II. *Legislative or other measures.*

ARTICLE 1 of the Convention is as follows :

Each Member which ratifies this Convention shall communicate to the International Labour Office, at intervals as short as possible and not

exceeding three months, all available information, statistical or otherwise, concerning unemployment, including reports on measures taken or contemplated to combat unemployment. Whenever practicable, the information shall be made available for such communication not later than three months after the end of the period to which it relates.



*South Africa.* — The Government supplies the International Labour Office with the *Social and Industrial Review*, the official monthly journal of the Department of Labour and the *Monthly Bulletin of Union Statistics*. From these publications information is obtained which comprises statistics of the transactions of the principal Government employment exchanges and of the local post office employment exchanges, statistics of persons employed on relief works, statistics of employment in selected manufacturing undertakings, and a review of the position of employment in the principal urban areas. The Government states that this information is incomplete, as it has not been found possible up to the present to devise means of ascertaining the full extent of unemployment in the country. With regard to the measures taken or proposed to combat unemployment, the Government reports that the Department of Labour has so far been engaged upon problems of organisation and upon an exhaustive survey of the whole field of unemployment with a view to devising adequate measures of relief. It has therefore not always been practicable up to the present for the Government to furnish the International Labour Office with full information concerning these measures, since many of the schemes were tentative in character. Summaries of the proposals made in the early stages of the Department's activities were, however, published in the official *Labour Gazette*, which was issued from April to December 1925, and through which the International Labour Office was kept advised as to labour questions in the Union. In addition, the Government in its annual reports has outlined the measures taken to mitigate unemployment.

*Austria.* — The Ministry of Social Administration supplies the Office with the information required by Article 1 of the Convention, within the specified periods.

*Bulgaria.* — No reference is made in the report to the fulfilment of the provisions of this Article. Provision is, however, made in the Act of 12 April 1925<sup>1</sup> for the keeping of records of applications by employers and workers and for the issue, by the Labour Department of the Ministry of Commerce, Industry and Labour, of a monthly bulletin concerning vacancies and applications for work.

*Denmark.* — All information relating to unemployment is forwarded by the Government as soon as available.

*Estonia.* — The Office regularly receives statistical information in the monthly reports on employment exchanges published in the review, *Eesti Statistika Kuukiri*.

*Finland.* — The Ministry of Social Affairs draws up special quarterly reports in pursuance of Article 1 of the Convention which it forwards to the Office in addition to the *Social Review* which contains monthly statistics of employment exchange activity, an annual summary of the work of the public employment exchanges, and reports of the activity of the unemployment funds subsidised by the State.

*France.* — Information relating to the situation as regards employment and unemployment is published every week (on Fridays) in the *Journal Officiel* under the heading *Bulletin du Marché du Travail*. An offprint is made of this Bulletin, which is sent regularly to the International Labour Office.

*Germany.* — Quarterly reports are made to the International Labour Office by the Ministry of Labour.

*Great Britain.* — The *Ministry of Labour Gazette*, which is forwarded monthly to the Office, publishes a summary of the work of the employment exchanges, and contains information on the measures taken or contemplated to combat unemployment. In addition, statistical statements of unemployment are forwarded each week to the London correspondent of the Office.

*Greece.* — The Government stated in the 1924 report that the development of the employment exchanges would make possible in future the regular publication and communication to the Office of information concerning unemployment and the measures taken to combat it.

*India.* — The Government at one time regularly communicated tables indicating the number of persons for whom employment had been found under the famine relief schemes, but these reports have been discontinued in the absence of famine or scarcity in the technical sense.

*Irish Free State.* — The Statistics Act, 1926, has conferred compulsory powers to collect and compile statistics, including statistics of employment and unemployment, upon the Minister for Industry and Commerce, who has made arrangements to supply the Office with unemployment statistics at quarterly intervals at least.

*Italy.* — The *Bollettino del Lavoro e della Previdenza Sociale*, regularly furnished by the Italian Government, publishes information on the measures adopted to combat unemployment, and monthly reports are also supplied on unemployment statistics.

<sup>1</sup> L. S., 1925, Bulg. 2.



*Japan.* — The Regulations No. 29 of 27 November 1924 respecting the enforcement of the Employment Exchange Act require every employment exchange to report on its activities, and prefectural governors and the chiefs of the mines inspection offices are instructed to report on the employment and discharge of workers in factories and mines. These reports are compiled and sent quarterly to the International Labour Office.

*Norway.* — The Ministry of Social Affairs forwards all official publications which give information concerning unemployment, and the inspector of public exchanges makes a fortnightly situation report which is communicated to the Office.

*Poland.* — Information relating to unemployment is communicated to the Office in accordance with the provisions of the Convention.

*Rumania.* — According to the Rumanian report of 1921, the Director of Employment Exchanges at the Ministry of Labour would be able to furnish the Office with monthly statistics of vacancies and applications for work, as soon as the public employment exchanges which were being instituted had commenced to operate. These exchanges started working in 1922. The annual report gives certain information regarding their activities, but states that there had been no unemployment crisis during 1926.

*Spain.* — The report for 1925 indicated that the Royal Decree of 18 December 1925 for the re-organisation of the Ministry of Labour provided a basis for the development of means for giving effect to this Article. A Royal Decree of 24 December 1926 re-organising the General Labour and Social Affairs Department of the Ministry of Labour placed the "special statistics" service under this Department.

*Sweden.* — The Government supplies statistical information monthly in the review *Sociala Meddelanden*, and the proceedings of the Unemployment Commission, in so far as they relate to unemployment, are sent to the Office monthly.

*Switzerland.* — The Government communicates to the Office the *Informations de statistique sociale*, which is published monthly by the Federal Labour Office and which contains statistical data relating to unemployment and the operations of employment exchanges. The Office also receives, as they appear, the *Feuille fédérale* and the *Recueil officiel des lois de la Confédération suisse*, which contain legislative and administrative proposals and decisions of the Confederation. The Federal Labour Office also furnishes special reports

to the International Labour Office as occasion demands.

#### ARTICLE 2 of the Convention is as follows :

Each Member which ratifies this Convention shall establish a system of free public employment agencies under the control of a central authority. Committees, which shall include representatives of employers and of workers, shall be appointed to advise on matters concerning the carrying on of these agencies.

Where both public and private free employment agencies exist, steps shall be taken to coordinate the operations of such agencies on a national scale.

The operations of the various national systems shall be coordinated by the International Labour Office in agreement with the countries concerned.

*South Africa.* — Free employment exchanges, under Government control, exist in eight of the principal towns of the Union, whilst subsidiary employment offices, which are visited at regular intervals by officers of the Department of Labour, exist at a number of other points. Further, a system of subsidiary post office labour exchanges has been organised throughout the Union, and there are at present 255 such exchanges working in conjunction with the eight principal employment exchanges. There has also been set up, since the constitution on 25 July 1924 of a separate Department of Labour, an Advisory Council of Labour which is representative of various important interests, including those of employers and workers. Among other things, this Council, together with Committees of its members (also representative of employers and workers), advises the Minister of Labour on matters connected with the administration of the employment exchanges. Arising out of the work of this Council a system of Joint Employment Committees, composed of representatives of the Provincial Administration, the municipality concerned, and the Department of Labour, was inaugurated in 1926. At the time of reporting, such Committees had been established in Cape Town and Bloemfontein, and were in formation in Durban and Pretoria. Their duties are generally to consider means of extending, on a permanent basis, the avenues of suitable employment for unskilled or semi-skilled Europeans or civilised labourers. Voluntary representative Committees have also been set up in some towns in connection with the post office exchanges. Private commercial registry offices or employment bureaux are required under the Industrial Conciliation Act<sup>1</sup> to be registered with the Department of Labour. The policy is to discourage any increase in the number of these registries, of which twenty were licensed at the time of reporting. There are also a small number of free employment exchanges conducted by organisations on behalf of their members, but their opera-

<sup>1</sup> L. S., 1924, S. A. 1.



tions are very limited. Where possible the work of these free agencies has been co-ordinated with that of the Government exchanges.

*Austria.* — This country possesses a free public employment exchange system, the working of which is governed by the Unemployment Insurance Act of 24 March 1920 as subsequently amended<sup>1</sup>, and by the Ministerial Orders of 1 August 1918, 26 May 1920 and 12 July 1921. The Act of 24 March 1920 provided in § 17 for the creation of district industrial commissions to control the institutions dealing with unemployment benefit, and there are at present eleven such commissions, one in the capital of each province with the exception of Lower Austria which has three commissions situated in St. Pölten, Gmünd and Wiener Neustadt. These commissions are composed of an equal number of representatives of employers and workers, appointed by the Federal Minister of Social Administration after consultation with the industrial organisations concerned. The chairman and vice-chairman of each commission may be chosen from among the members of the commission itself or from outside; in no case may they belong to the same group. It is the duty of the industrial commissions to entrust the administration of unemployment insurance to public employment offices, to determine the localities and trades to be included within their operations, and to supervise their working. Where there is no unemployment office in a commune which has less than 5,000 inhabitants, the communal authorities act as a branch office. The co-ordination of the operation of the public employment exchanges under the supervision of the district industrial commissions and of the Ministry of Social Administration has been realised by providing that the unemployment insurance offices should render frequent reports to the competent industrial commission concerning the situation of the labour market within their zone of activity. In their turn, the district industrial commissions present reports to the Ministry of Social Administration which acts as the co-ordinating authority for the whole country.<sup>2</sup>

<sup>1</sup> L.S., 1922, Aus. 7 and 1923, Aus. 4.

<sup>2</sup> As regards private employment agencies, the report relating to the ratification of the Convention concerning unemployment presented by the Austrian Government to the National Council on 20 November 1923 indicated that the Act of 24 March 1920, as subsequently amended, and the Ministerial Order of 26 May 1920, provided for the co-ordination of the work of the free public employment exchanges and the private fee-charging agencies. The Order of 26 May 1920 also provides that employment agencies not carried on by industrial organisations (*nicht gewerbemässige Arbeitsvermittlung*) must furnish the district industrial commissions with detailed information regarding their organisation, activity and the fees received for finding employment.

*Bulgaria.* — The Act of 12 April 1925 respecting employment exchanges and unemployment insurance, which came into force on 1 January 1926, provides in § 6 for the establishment of employment exchanges at Sofia and Philippopolis, and gives the Minister of Commerce, Industry and Labour the power, on the recommendation of the Superior Labour Council, to order the establishment of employment exchanges in localities in which there are more than 3000 persons in permanent employment. In localities where there are no employment exchanges, it is provided in § 8 that employment exchange work shall be carried on by local employment and unemployment offices, of which the report states that 31 are to be set up throughout the country. The employment exchange service thus created is directed and supervised in each department by the labour inspector, and throughout the country by a special branch of the Labour Department of the Ministry of Commerce, Industry and Labour (§ 15). In §§ 11 and 13 provision is made for setting up courts of arbitration and labour councils in connection with each local employment office. The courts of arbitration are to be composed of a justice of the peace as chairman, together with one representative each of the employers and workers; the labour councils are to consist of the labour inspector as chairman, the manager of the employment office, a member of the departmental council, the mayor or his deputy, the chief technical officer of the locality, the senior medical officer, a representative of the local chamber of commerce and industry, and three employers' and three workers' representatives nominated by their respective local organisations. As regards private employment offices it is provided in § 2 that they shall be prohibited and existing offices shall be closed not later than six months after the date of the coming into force of the Act. Employment offices belonging to trade organisations of employers or workers may continue to exist provided that they are carried on free of charge. Regulations are to be issued with regard to their supervision.

*Denmark.* — Employment exchanges have existed since 1913, and are at present organised under the Act of 4 March 1924<sup>1</sup>. Public exchanges established by communes or by several municipalities acting together are managed, under the supervision of the Director of Labour, by a committee of at least seven persons appointed by the local authorities, consisting of a chairman and of an equal number of employers and workers. Funds for their working are provided by the communes and by a Government subsidy. Co-ordination of public and private systems

<sup>1</sup> L.S., 1924, Den. 1.



of exchange may be effected by the administrative authorities, the Director of Labour being entrusted with the task of drawing up such a scheme of co-ordination.

*Estonia.* — Free public employment agencies have been in existence since 1919 in virtue of the Employment Exchanges Act of 1 August 1917, and consist of nine urban exchanges, one rural exchange, and one urban and rural exchange. The Act provides that the administration of the local exchanges shall be entrusted to committees composed of an equal number of representatives of workers' and employers' associations under a chairman elected by the communal institutions. The few private employment agencies, the activities of which are exclusively limited to receiving offers of and requests for domestic service, have no special importance.

*Finland.* — At the end of 1925 the Chamber adopted a new Act concerning public employment offices which was promulgated on 27 March 1926 and came into force on 1 January 1927. During 1926 the employment exchanges continued to work under the Order of 2 November 1917 concerning employment exchanges,<sup>1</sup> and the Resolution of the Council of State of 9 July 1919 concerning the supervision of the work of finding employment and the organisation of co-operation between the communal and other agencies. Private employment agencies may be instituted only by associations, and must give free service. The necessary co-ordination is arranged by the Labour Bureau of the Ministry of Social Affairs, which in 1923 replaced the Employment Agency Department of the Social Board.

*France.* — The Act of 2 February 1925 to amend § 85 of Book I of the Code of Labour and Social Welfare with regard to employment exchanges and departmental employment offices<sup>2</sup> maintained the existing obligation imposed upon towns of less than 10,000 inhabitants to keep at the mayor's offices a register containing offers of and application for employment and the obligation for towns of more than 10,000 inhabitants to establish a municipal employment exchange, and added a further obligation upon the Departments to set up departmental employment offices. The municipal employment exchanges are at the free disposal of the public, and the duties of the departmental offices are defined as being "to organise and ensure in every commune of their area the recruiting and placing, free of

charge, of workers in agriculture, industry, commerce and the liberal professions, as well as domestic servants and apprentices." The expenses of setting up and administering municipal exchanges and departmental offices must be borne by the towns and departments concerned, and, if a town of more than 10,000 inhabitants fails to set up an exchange, it is provided that "the prefect shall take measures *ex officio* for its establishment, after a formal order has been given to the municipal council without effect." Municipal exchanges and departmental offices may institute trade sections for certain trades; an agricultural section must be set up in every departmental office. To every municipal exchange and departmental office, and if necessary to trade sections, is attached a managing committee composed of an equal number of wage-earning or salaried employees and employers belonging as far as possible to the trades which make most use of the exchange. Public administrative regulations prescribing the conditions to which in general the various offices, exchanges or trade sections must conform, especially as regards the constitution of joint committees, measures to ensure that the placing work of the offices is carried on *bonâ fide* and free of charge, and that there is impartiality in case of labour disputes, co-ordination between the various exchanges and offices, etc., were issued on 9 March 1926. The report further states that departmental offices existed in all except five Departments before the passing of the Act of 2 February 1925. Since the issue of the regulations of 9 March 1926, instructions for the full application of the law have been issued to the prefects of the Departments concerned, and new offices have been created and others are being reorganised. At present the number of employment offices and exchanges is as follows: 7 regional offices, the operations of which extend over several Departments and the duties of which are to coordinate the activities of the various departmental and municipal offices; 88 departmental offices (one in each Department except in two cases); 106 municipal exchanges. As regards the co-ordination of the operations of employment agencies of different types, the report states that the Police Prefect, by Order of 10 July 1920, prescribed that fee-charging agencies in the Seine Department must forward to the Police Prefecture at the beginning of each month, "a report on the operations of the agency during the preceding month, showing the number of applications for employment registered, the number of offers of employment received, and the number of workers placed, together with a statement of the kinds of employments sought, offered and secured." The Minister of Labour has drawn the attention of the prefects to this Order and has requested them to suggest that the mayors of towns in their

<sup>1</sup> For French translation see B.B. (French edition), Vol. XVII, 1918, p. 38.

<sup>2</sup> L. S., 1925, Fr. 4.



Departments, in which fee-charging agencies exist, should take similar measures.

*Germany.* — Under § 1 of the Employment Exchanges Act of 22 July 1922<sup>1</sup> the work of finding employment devolves upon the public employment exchanges, the State Employment Boards, and the Federal Employment Board. As a general rule (§ 3), public employment exchanges are established for the district of each subordinate administrative authority and every commune must be included in the district of an exchange; all questions relating to the demarcation of employment exchange districts, the establishment of new or the closing of existing exchanges are dealt with by the supreme State authorities after consultation with the State Employment Boards and their executive committees. The direct responsibility for establishing a public employment exchange lies with the commune or federation of communes to the district of which the exchange is assigned, and every public employment exchange is managed by its establishing commune. § 7 provides that an executive committee shall be set up for every public employment exchange; this committee is composed of the chairman or manager of the exchange and not less than three employers and three workers, who may be the representatives of industrial associations of employers or workers, as assessors. The assessors must include women. The establishing commune has the right to send representatives to the executive committee in an advisory capacity, but their numbers may not exceed the number of employers or workers. The State Employment Boards are established for individual States, or for provinces or other large areas; their principal duties are to supervise and deal with complaints in connection with the public employment exchanges. An executive committee is constituted for each State Board and is composed of the chairman of the Board, and not less than four employers, four workers, and four representatives of the establishing communes, as assessors, amongst whom women must be included. The employers' and workers' assessors are elected by the employers' and workers' divisions of the district economic council respectively. Finally, the Federal Employment Board in Berlin, under the supervision of the Federal Minister of Labour, has the duty of watching the labour market and endeavouring to equalise supply and demand between the various districts. An executive council is constituted for the Federal Board and is composed of the chairman and representatives of public bodies, employers and workers, including at least one woman. Free employment agencies are supervised by the State Employment

Boards, and their establishment and working are regulated by the provisions of the Employment Exchanges Act and regulations issued in pursuance thereof. Employment agencies carried on for gain are regulated by the Employment Exchanges Act and by the Act of 2 June 1910 (*R. G. Bl.*, p. 860) relating to employment agents<sup>1</sup>. § 48 of the Employment Exchanges Act provides that these agencies shall be abolished as from 1 January 1931.

*Great Britain.* — Free public employment agencies exist in pursuance of the Labour Exchanges Act of 1909. Divisional and national clearing systems facilitate the work of finding places for the unemployed. In connection with each exchange there is a body known as the Local Employment Committee appointed by the Minister of Labour and consisting in the main of representatives of employers and employed, who advise on matters concerning the carrying on of the exchanges. Co-ordination between the public employment exchanges and the employment agencies of the trade unions which co-operate in the application of the Unemployment Insurance Acts (1920-1926)<sup>2</sup> is effected by arrangements made under § 17 of the Unemployment Insurance Act, 1920, whereby weekly returns of unemployed members of the associations are rendered, and the public employment exchanges offer vacancies when trade unions cannot find employment for their members. The divisional and national clearing systems place this co-ordination on a national scale. The number of associations with which arrangements had been made was, at the time of the first annual report, 235 with a membership of 3,779,000. During the succeeding years of trade depression, however, the numbers fell considerably, as the following figures show: 30 June 1922, 142 associations, 1,655,000 members; 30 June 1923, 141 associations, 1,021,748 members; 31 December 1923, 142 associations, 1,007,140 members; 31 December 1924, 145 associations, 964,578 members; 31 December 1925, 143 associations, 1,103,000 members; 31 December 1926, 154 associations with an approximate total membership of 1,150,400. It may further be noted that up to 31 December 1926, 135 local education authorities had approved schemes under § 6 of the Unemployment Insurance Act, 1923, which permits such authorities to undertake duties in connection with the administration of unemployment benefit claimed by persons under eighteen years of age under schemes approved by the Board of Education and the Ministry of Labour jointly.

<sup>1</sup> B.B., Vol. V, 1910, p. 171.

<sup>2</sup> L.S., 1920, G.B. 3; 1921, G.B. 2; 1922, G.B. 1; 1923, G.B. 1; 1924, G.B. 8; 1925, G.B. 6; 1926, G.B. 3; see also 1926, G.B. 7.

<sup>1</sup> L. S., 1922, Ger. 3.



*Greece.* — In pursuance of the Royal Decree of 22 September 1922<sup>1</sup> concerning the establishment of employment exchanges, two free public employment agencies have been set up, one at Athens and the other at Piræus. These exchanges are supervised by a committee composed of a labour inspector as president and one representative each of employers and workers, and are required to furnish monthly statistical information to the Labour Directorate. In other parts of the country the labour inspectors have the duty of endeavouring to find work for the unemployed. The Directorate of Labour and Social Welfare is entrusted with the co-ordination of the work of the various employment offices, while the Advisory Labour Council advises on all matters relating to their work.

*India.* — In view of the absence of industrial unemployment and of the fact that the provisions of the Provincial Famine Code adequately meet the case of agricultural unemployment, the Government have decided, after consultation with Provincial Governments, that the establishment of special agencies is unnecessary. In Madras, however, a Labour and Employment Bureau has been established to secure employment for the members of the depressed classes and South African repatriates.

*Irish Free State.* — Free public employment agencies exist in pursuance of the Labour Exchanges Act, 1909, already in force at the date of the Treaty between the Irish Free State and Great Britain, and which has continued in force under the terms of the Constitution of the Free State. The exchanges, of which there are at present 19 and 79 branch offices, are administered by the Department of Industry and Commerce. Vacancies which cannot be filled locally are circulated nationally from a central clearing house under the national clearing system. Committees which include representatives of employers, workers, education authorities and other local bodies or interested persons have been appointed to advise on certain aspects of the work of exchanges. Other free public employment agencies are chiefly those of trade unions which work through district and branch offices. Co-ordination is effected between the State exchanges and the trade unions branches by means of arrangements under § 17 of the Unemployment Insurance Act, 1920. By means of the national clearing system, co-ordination is on a national scale.

*Italy.* — A free public employment exchange system was set up by the Decree of 17 November 1918 relating to the finding of employment for workers

and by the Legislative Decree of 19 October 1919 re-organising the employment exchange system and introducing compulsory unemployment insurance<sup>1</sup>. The unemployment insurance system, and with it the administrative organisation of the employment exchange system, was amended by the Royal Decree of 30 December 1923<sup>2</sup>. At present the complete reform of the employment exchange system is under examination with a view to the application of § 44 of the Royal Decree of 1 July 1926, issued in application of the Associations Act of 3 April 1926<sup>3</sup>, which lays down that the central co-ordinating bodies provided for in § 3 of the Act shall "set up employment exchanges wherever the need therefor may arise; where such exchanges exist, it may be prescribed by Royal Decree that the finding of employment by other means and the working of other employment exchanges shall be prohibited, provided that in any case the special provisions of laws and regulations dealing with the finding of employment shall remain in force." With regard to the year 1926, the report states that an institution called the *Patronato Nazionale*, which was given legal personality by Ministerial Decree of 26 June 1925, has devoted a large part of its activities to finding employment for workers free of charge. In addition to other work in the field of labour protection and social welfare, this institution has facilitated in all parts of the Kingdom the movements of workers unemployed or in search of other employment to places where work was to be found. It operates by means of provincial employment exchanges divided into occupational sections, each managed by a technical Committee composed of representatives of employers and workers under the chairmanship of the Director of the Provincia Benevolent Institution (*Istituto provinciale del patronato*).

*Japan.* — The Act of 8 April 1921<sup>4</sup> provides for the establishment of a system of free employment exchanges in towns of more than 30,000 inhabitants. The exchanges thus established, which numbered 188 on 31 December 1926, of which 41 were private, have not yet been distributed all over the country but the tendency is towards an increase every year. By an Ordinance of 24 June 1925 the exchanges have been enabled to pay the wages of day labourers obtaining employment through them, with a view to facilitating the distribution of workers of this class and promoting the efficiency of the exchanges. The organisation of employment exchange committees is provided

<sup>1</sup> L.S., 1922, Gr. 6.

<sup>1</sup> L.S., 1920, It. 2.

<sup>2</sup> L.S., 1923, It. 10.

<sup>3</sup> L.S., 1926, It. 2.

<sup>4</sup> L.S., 1921, Jap. 1-4.



for in the Ordinance of 20 February 1924<sup>1</sup>. In pursuance of this Ordinance a Central Employment Exchange Commission has been set up, followed by the appointment of District Commissions in Tokyo, Osaka and Nagoya. The functions of these committees are to advise the administrative authorities on the work of the employment exchanges by means of replies to enquiries or by representations. The chairman of the Central Employment Exchange Committee is the Director of the Bureau of Social Affairs, whilst the chairman of the local committees are nominated by the Cabinet on the recommendation of the Minister for Home Affairs from among the members of the committees. The number of members of the central and local committees may not exceed twenty; and they include equal numbers of persons representing the interests of the employers and persons representing the interests of the workers. With a view to establishing employment exchange committees in cities, towns and villages, the rules for the enforcement of the Employment Exchange Act were amended in November 1924. The co-ordination of the work of the exchanges is provided for in the Act of 8 April 1921 by the establishment of central and district employment exchange bureaux under the supervision of the Department for Home Affairs. The Ordinance No. 107 of 1923 detailed their organisation. There are at present a central bureau at Tokyo and district bureaux at Tokyo, Osaka and Nagoya. An increase in their numbers is contemplated. The chiefs of these bureaux and of the Bureau of Social Affairs, under the Minister for Home Affairs, supervise the co-ordination of the activities of the public and private exchanges and for this purpose relations covering the whole country have been established.

*Norway.* — The Public Employment Exchanges Act of 12 June 1906<sup>2</sup> established employment exchanges in communes, each under the control of a committee appointed by the commune and composed of a president and an equal number of representatives of employers and workers. The administrative work of these exchanges is effected by a director assisted by subordinates, and is supervised by a central authority constituted under the Minister for Social Affairs. No fees are charged. The Act permits the operation of private fee-charging employment agencies, but only under a municipal authorisation which may not be given without the consent of the Minister for Social Affairs.

*Poland.* — A system of free public employment exchanges exists in virtue of

the following legislative and other measures: (1) Decree of 27 January 1919 relating to the organisation of employment exchanges and of aid to emigrants; (2) Decree of the Commissariat of the General Council of Posnania of 6 July 1919 relating to the finding of employment, as amended by the Act of 12 June 1924<sup>1</sup> and the Order of 30 September 1924 relating to the organisation and powers of the joint advisory committees attached to employment exchanges in Posnania and Pomerania; (3) Cabinet Order of 29 March 1923 relating to the transfer of the powers of the former Prussian Ministers concerning the finding of employment in the Upper Silesian part of the voivod-ship of Silesia, amended by the Order of the Minister of Labour and Social Welfare of 4 December 1923 relating to the finding of employment by the communes in the Upper Silesian part of the voivod-ship of Silesia; (4) Order of the Minister of Labour and Social Welfare, in agreement with the other Ministries concerned, of 18 December 1923, relating to the organisation and powers of the joint advisory committees attached to employment exchanges; (5) Order of the Minister of Labour and Social Welfare of 26 January 1925 relating to the rules for employment exchanges; (6) Act of 10 June 1924 relating to the public finding of employment<sup>1</sup> and amending Orders of 25 July 1924; (7) Act of 21 October 1921 respecting employment agencies carried on by way of trade<sup>2</sup> and six supplementary Orders; (8) Order of the Minister of Labour and Social Welfare of 25 February 1924 relating to the insurance against unemployment of foreign workers; (9) Order of 31 December 1924 of the Minister of Labour and Social Welfare, in agreement with the other Ministers concerned, relating to the notification of vacancies by employers<sup>3</sup>; (10) Act of 3 March 1926 amending § 5 of the Act of 21 October 1921; (11) Order of the Minister of Labour and Social Welfare of 5 July 1926 amending the Order of 31 December 1924 and extending the obligation of employers to notify the public exchanges of posts vacant or newly filled to cover intellectual workers. The system of public employment exchanges included, on 1 January 1927, 36 offices in the principal towns, 20 branch offices in places of lesser economic importance and 10 communal exchanges in Upper Silesia. Advisory committees composed of equal numbers of representatives of employers and workers have been set up in virtue of the Decree of 27 January 1919, relating to the organisation of employment exchanges, and of the Order of 18 December 1923, relating to the organisation and powers of the joint advisory committees attached

<sup>1</sup> L.S., 1924, Jap. 1.

<sup>2</sup> B.B., Vol. I, 1906, p. 305.

<sup>1</sup> L.S., 1924, Pol. 5.

<sup>2</sup> L.S., 1921 (Part. II), Pol. 1.

<sup>3</sup> L.S., 1924, Pol. 11.



to employment exchanges. These committees advise on all matters relating to the working of the employment exchanges. In Posnania and Pomerania the institution of these committees is governed by the Order of 30 September 1924. With regard to co-ordination of public and private exchanges, § 4 of the Act of 21 October 1921 respecting employment agencies carried on by way of trade provides that a permit to carry on an employment agency shall not be granted... “(b) if a sufficient number of employment agencies already exists in the locality in question, and especially if a State or other gratuitous employment exchange is in existence there and carries on its work satisfactorily.” The Act of 3 March 1926 amending § 5 of the Act of 21 October 1921 extends the period of five years from the promulgation of the Act, within which registry offices for domestic servants were to be abolished, to eight years. Regulations for the organisation and operations of professional employment agencies are issued by the Ministry of Labour and Social Welfare.

*Rumania.* — Former legislation was repealed by the Employment Exchanges Act of 22 September 1921<sup>1</sup>, which establishes free public exchanges in the towns of chief commercial and industrial importance. During 1926 there were 36 such exchanges. There are also registration offices in all urban and rural communes which receive applications for employment or for labour which are communicated to the employment exchanges. No fees are charged for finding employment. The sums necessary for the working of the exchanges are provided for in the general budget, upon proposals made by Joint Committees, regional and central (appointed by the Minister of Labour) and confirmed by the Directorate of the Employment Exchange Service. Joint committees of an equal number of workers and of employers are attached to each exchange and make proposals as regards the work of the exchanges and the budget of the exchange. These committees are under the control of the Directorate of the Employment Exchange Service. Fee-charging agencies have been suppressed. Of the free private exchanges, those organised by trade unions and charitable institutions must present their statutory rules to be approved by the Minister of Labour in accordance with § 7 of the Employment Exchange Act of 1921. In addition a few occupational organisations have licences to establish free employment exchanges. These private agencies must communicate monthly statistics to the directorate of the official employment exchanges which supervises their activities.

*Spain.* — Previous reports had indicated that § 1 of the Royal Decree of 29 September 1920<sup>1</sup> provided for the institution of a general employment service and a service of unemployment statistics under the control of the Ministry of Labour. The duties of the employment service were laid down in § 2 as follows: (1) to ascertain and classify labour demand and supply in the various districts of Spain; (2) to verify cases of involuntary unemployment; (3) to co-ordinate the operations of the various organisations entrusted with employment exchange work in order to ensure as far as possible, without prejudice to the autonomy of each organisation, that such work should be carried out in the general interest. In pursuance of these objects it was provided in § 3 that the Ministry of Labour should, by means of graduated subsidies, direct, encourage and assist employment offices organised by town councils and regional organisations, by chambers of commerce, industry and shipping, by other corporations and official bodies and by trade associations of employers and workers and *ad hoc* bodies. In order to become entitled to a subsidy these bodies, under § 5, had to observe neutrality in working and be managed by a committee composed of equal numbers of representatives of workers and employers, assisted by experts on social questions. The results of this system had, however, not been very extensive, according to the report for 1925. The report for 1926 states that further provisions relating to the finding of employment have been included in the Royal Legislative Decree of 26 November 1926 establishing a National Corporative Organisation. This Decree provides for the creation, for specified groups of trades or occupations, of joint local and inter-local committees, one of the functions of which is defined in § 17 (4) as follows: “To organise labour exchanges in order to find at any time employment for unemployed workers, and for this purpose they shall make an occupational census of the employers and workers in their branch in the locality.” Under § 32 (8) disputes relating to the activities of the exchanges are to be settled by the Councils of Corporations.

*Sweden.* — Employment exchanges established by the communal authorities have been in existence since 1902 and uniformity in the system has been attained by imposing certain conditions which must be fulfilled before support may be granted from State funds. These conditions are laid down by the Decree of 30 June 1916<sup>2</sup>, amended by the Decree of 16 May 1918 concerning State grants for the organi-

<sup>1</sup> L.S., 1920, Sp. 3.

<sup>2</sup> B.B., Vol. XI, 1916, p. 278.

<sup>1</sup> L.S., 1921, Rum. 2.



sation and development of the public system of exchanges. At the end of 1926 there were working 36 public employment exchanges controlling 36 employment offices and 110 branch offices. Employment agents are also established in a few localities. The direct management of the work of the various public employment exchanges devolves on special committees, among whose members are representatives of employers and workers. These committees are appointed by the communal authorities which have established the exchanges. There are no important private organisations for finding employment free of charge.

*Switzerland.* — Free public employment agencies were established by the Federal Decree of 29 October 1909<sup>1</sup>, in the form of labour offices centrally grouped in the "Association of Swiss Labour Offices"; this system was developed by the Resolution of the Federal Council of 29 October 1919 concerning unemployment benefit<sup>2</sup>, which provided in § 5 for the creation in each canton of a central employment office. In 1924 the system was somewhat modified by the withdrawal, on 1 July 1924, of the Resolution of 29 October 1919 and the issue by the Federal Council of the Order of 11 November 1924 respecting public employment exchanges<sup>3</sup>, the object of which is to co-ordinate the obligations arising from the Convention for the Confederation and the cantons. § 1 of this Order confirms the obligation of the cantons to make provision for finding employment within their territories, but under § 2 it is now possible for two or more cantons, when circumstances justify such action and with the consent of the Federal Department of Public Economy, to institute a joint central office. The method of working of the employment offices remains the same and is still governed by the relevant provisions of the Regulations of 25 June 1923. The system at present in force in Switzerland consists, therefore, of local agencies, which deal with the finding of employment within the locality, and cantonal offices which deal with the finding of employment for persons who can be transferred from one locality to another, including those who desire to emigrate. At present the number of central cantonal offices is 24, a joint office having been formed by the cantons of St. Gall and Appenzell-Ausser-Rhoden. With regard to joint committees, the Order of 11 November 1924 provides in § 4 (c) that "committees composed of an equal number of employers and workers shall be set up and consulted in matters concerning the employment offices." The Order of 11 November 1924 also provides, in § 6, that

the Federal Department of Public Economy "shall take all necessary steps to co-ordinate the operations of free public and private employment offices." In application of this provision the public employment service has established liaison with the occupational associations which have maintained an employment exchange service and keeps in regular touch with these associations. Other measures are still under consideration but the examination of these measures is not yet complete.

ARTICLE 3 of the Convention is as follows :

The Members of the International Labour Organisation which ratify this Convention and which have established systems of insurance against unemployment shall, upon terms being agreed between the Members concerned, make arrangements whereby workers belonging to one Member and working in the territory of another shall be admitted to the same rates of benefit of such insurance as those which obtain for the workers belonging to the latter.

*South Africa.* — No such agreements or conventions have been entered into by the Union of South Africa with any other State or States. No unemployment insurance system at present operates in the Union.

*Austria.* — The provisions of the Unemployment Insurance Act make no distinction between national and foreign workers as regards the normal insurance benefits provided by the Act, so that the conditions for the equal treatment of Austrian workers in other States are fulfilled. Nevertheless, where another State gives more favourable treatment to its own workers as regards statutory unemployment benefit than to Austrian workers resident in its territory, it may be stipulated by Order that the nationals of the said State shall similarly be accorded less favourable treatment in respect of unemployment benefit in Austria. A special agreement has been made with Germany in the sense of Article 3.

*Bulgaria.* — An unemployment insurance system is set up by the Act of 12 April 1925 respecting employment exchanges and unemployment insurance, and it is specified in § 31 of this Act that "wage-earning and salaried employees of alien nationality shall be deemed to be liable to unemployment insurance if their country of origin grants the same rights and approximately the same rates of benefit to Bulgarian nationals."

*Denmark.* — The Act of 4 March 1924 provides that foreign workers shall have the right to benefit from the unemployment funds in the same conditions as national workers. Agreements have, however, been made by certain insurance institutions in Denmark with those of other countries for the purpose of dimin-

<sup>1</sup> B.B., Vol. V, 1910, p. 68.

<sup>2</sup> L.S., 1920, Switz. 4-5.

<sup>3</sup> L.S., 1924, Switz. 5.



ishing or suppressing, in the case of the members of any one of the contracting institutions resident abroad, the period during which a person must pay contributions before becoming entitled to benefit; in the case of Denmark this period, under the Act of 4 March 1924, is one year.

*Estonia.* — This provision has placed no obligation upon Estonia which has no system of unemployment insurance.

*Finland.* — The Order of 2 November 1917 provides that foreign workers who are members of unemployment funds entitled to receive State subsidies shall have the same rights as national workers.

*France.* — The report refers to the Labour Treaty between France and Italy<sup>1</sup>, signed at Rome on 30 September 1919, and ratified by the French Parliament, which provides in Article 11 that "subsidies to funds for mutual assistance against unemployment and assistance from public unemployment funds and from public institutions for relief work shall be granted in each State to nationals of the other State." Similar provisions are found in the Labour Treaty attached to the Convention concluded with Poland on 14 October 1920 and in the Labour Treaty concluded with Belgium<sup>2</sup> at Brussels on 24 December 1924.

*Germany.* — § 6 (1) of the Unemployment Relief Order of 16 February 1924<sup>3</sup> provides that "aliens shall be granted unemployment relief if it is shown that their country of origin grants equivalent relief to German unemployed persons," and paragraph (2) of the same section gives the Federal Minister of Labour powers, with the consent of the Federal Council, to "direct that relief shall be granted to aliens irrespective of this condition". In virtue of § 3 of the regulations issued on 2 May 1925 in application of the above Order, the Minister of Labour has decided that reciprocity may be deemed to exist with the following countries: Austria, Danzig, Luxemburg, Sweden, Switzerland and Czechoslovakia, and the nationals of these countries are accordingly entitled to unemployment relief to the same extent as German citizens. A similar decision was taken on 1 July 1926 with regard to British subjects. Danish nationals are entitled to unemployment relief if they have been domiciled in Germany since 1 July 1919. Further, the Minister of Labour has decided, on the basis of the Geneva Convention relating to Upper Silesia of 15 May 1922 which was given force of law by the

Act of 11 June 1922, that Upper Silesians of Polish nationality are to receive unemployment relief in German Upper Silesia to the same extent as German nationals. Finally, § 6 (4) of the Unemployment Relief Order of 16 February 1924 gives the Minister of Labour powers to decide that membership of a system of unemployment insurance instituted in a foreign country under foreign legislation shall be treated as an employment within the meaning of § 4 (1), which provides that unemployment benefit is not to be paid to unemployed persons who during the twelve months immediately preceding the date when they began to need benefit were engaged for less than three months in an employment in which they were liable to compulsory sickness insurance. In virtue of these powers the Minister of Labour prescribed in the second series of regulations in application of the Order, issued on 4 April 1924 (*R. G. Bl.* II, p. 91), that employments in the territories of the Austrian Republic, which by their nature would involve the payment by a German worker in Germany of contributions to the unemployment relief fund, should be assimilated from 1 April 1924 onwards to employments in Germany as far as the payment of unemployment relief to German nationals is concerned. This arrangement is based on an agreement between the Austrian and German Governments concluded on 18 February 1924. The Act of 19 November 1926 concerning relief for the unemployed during the economic crisis (*Krisenfürsorge*) and the Order of 20 February 1926 concerning relief to the partially unemployed as a result of the reduction of working hours (*Kurzarbeiterfürsorge*) also apply to foreign workers in cases where the conditions laid down in § 6 of the Order of 16 February 1924 obtain.

*Great Britain.* — Foreign workers are subject to the compulsory unemployment insurance system, and enjoy the same benefits as nationals. Certain restrictions have, however, been re-imposed by the Minister of Labour, under § 1 of the Unemployment Insurance Act, 1925, in respect of the payment of "extended" benefit, i.e. benefit paid beyond that payable strictly in proportion to the number of contributions credited to an insured contributor. These restrictions affect all foreign workers other than (a) British-born wives or widows of foreigners; (b) foreigners who served with the British forces (or in certain cases as merchant seamen) during the late war; (c) foreigners who have been continuously resident in Great Britain during the ten years prior to the date of the claim. The same restrictions affect certain categories of British insured persons. Arrangements for reciprocal payment of unemployment benefit exist between Great Britain and Northern Ireland.

<sup>1</sup> L.S., 1920, Int. 2.

<sup>2</sup> L.S., 1924, Int. 3.

<sup>3</sup> L.S., 1924, Ger. 5.



*Greece.* — This provision has placed no obligation upon Greece which has no system of unemployment insurance. (See also introductory note.)

*India.* — This provision has placed no obligation upon India which has no system of unemployment insurance.

*Irish Free State.* — The Unemployment Insurance Acts, 1920 to 1926, provide for the insurance against unemployment of all workpeople, whatever their nationality, if they are engaged in the employments covered by the Acts. These employments cover practically all the employed population except agriculture and private domestic service. No special agreements or conventions of the kind referred to in the Article have been entered into by the Government of the Irish Free State.

*Italy.* — § 25 of the Decree of 19 October 1919 provided that foreign workers should be subject to the compulsory unemployment insurance system and enjoy the same benefits as nationals. This provision is repeated in § 1 of the Royal Decree of 30 December 1923, No. 3158, which provided for the reorganisation of the unemployment insurance system<sup>1</sup>.

*Japan.* — This provision has placed no obligation upon Japan which has no system of unemployment insurance.

*Norway.* — Before 1921 subventions accorded by the State to unemployment funds were paid only to Norwegian members or foreign members of the funds who had resided in Norway for the two preceding years. The Act of 30 June 1921<sup>2</sup>, however, provides that exceptions to the provisions relating to residence in the country for a period of two years may be granted in favour of the subjects of countries with which agreements are concluded by the King on the basis of reciprocity.

*Poland.* — Foreign workers benefit by the same laws and regulations for the protection of the workers as Polish nationals under the Act of 6 July 1923 to extend the legal provisions respecting compensation for industrial accidents, invalidity, old age, death and unemployment to nationals of other States<sup>3</sup>. This Act lays down the principle of equality of treatment and applies it, as regards social insurance, to the nationals of all countries. Nevertheless, if another State restricts the corresponding rights of Polish nationals, the Council of Ministers may issue regulations restricting the rights in question of nationals of the said State in Poland. The Council of Ministers has not yet made use of these powers.

*Rumania.* — This provision has placed no obligation upon Rumania which has no system of unemployment insurance.

*Spain.* — The report for 1925 stated that no such arrangements had been made with other States.

*Sweden.* — This provision has placed no obligation upon Sweden which has no system of unemployment insurance. Nevertheless the Government has concluded with Czechoslovakia, Denmark, Germany, Norway and Switzerland agreements by which Swedish and foreign workers are entitled, subject to certain conditions, to the same rights in the matter of unemployment relief.

*Switzerland.* — The repeal of the Federal Decree of 29 October 1919 has involved the abolition of the system of unemployment relief introduced in 1918 and 1919 in favour of the workers thrown out of employment by the post-war economic crisis. Federal subventions continue, however, to be allocated to public and private unemployment insurance funds. Moreover, on 17 October 1924, Parliament passed a Federal Act relating to the allocation of subventions for unemployment insurance which gives a definitive legal sanction to the Federal subsidies to unemployment funds. Foreign workers are assimilated to nationals in all respects. Nevertheless, § 11 of the Federal Act of 17 October 1924 provides that the Federal Council may refuse or diminish subsidies in the case of foreign workers belonging to a State which does not grant equality of treatment to unemployed of Swiss nationality or does not apply equivalent measures against unemployment. This Act came into force on 15 April 1925. The report adds that "the Swiss Government has approached the States which have ratified the Convention, and which have established systems of insurance against unemployment, in order to ascertain whether they are willing to grant to Swiss citizens established in their territories absolute equality of treatment as regards insurance against unemployment or whether they intend to make the treatment to be accorded to Swiss citizens dependent upon certain conditions. Up to the present, agreements for absolute equality of treatment on a basis of reciprocity have been concluded with Germany and Italy. Switzerland has also made an agreement for the application of the principle of equality of treatment as regards unemployment insurance with Czechoslovakia, a State which has not ratified the Convention."

### III. Enforcement of legislation.

*South Africa.* — The Department of Labour, as the executive authority, exer-

<sup>1</sup> L.S., 1923, It. 10.

<sup>2</sup> L.S., 1921, Nor. 1.

<sup>3</sup> L.S., 1923, Pol. 3.



eises complete control, by means of its inspecting officers and otherwise, over the work of the employment exchanges.

*Austria.* — The supervision of existing legislation is entrusted to the Ministry of Social Administration, to which the district industrial commissions render reports on the operations of the employment exchanges within their zone of activity.

*Bulgaria.* — The application of the Act of 12 April 1925 is entrusted to the labour inspectors and employment exchange officials under the control of the Ministry of Commerce, Industry and Labour. Contraventions are punishable by fines not exceeding 5,000 levas for the first offence, or 10,000 levas for subsequent offences.

*Denmark.* — The Ministry for Home Affairs, assisted by the Director of Employment Exchanges and Unemployment Insurance, is responsible for the application of existing legislation.

*Estonia.* — The factory inspectors are responsible for the enforcement of the relevant legislation.

*Finland.* — Since the incorporation of the Central Social Board with the Ministry of Social Affairs in 1923, the Labour Bureau of the Ministry of Social Affairs, and more particularly the inspector of public employment exchanges, supervises the observance of the laws and regulations regarding employment agencies and unemployment funds.

*France.* — The Ministry of Labour (Labour Directorate) is entrusted with the supervision of the application of the relevant laws and regulations. The local supervision of the employment exchanges is exercised by the representatives of the Minister, the regional offices which are State institutions and which supervise not only the technical working of the exchanges but also their finances in consequence of the grant of subsidies by the State. In order to secure the application of the Act of 2 February 1925, the regional offices intervene to facilitate the creation by the local authorities of local exchanges, they transmit to the local exchanges the instructions they receive from the central administration, they co-operate with them continuously and take part in the work of the joint committees in order to secure co-ordination. They may also be entrusted with the supervision of the management of unemployment relief funds subsidised by the State.

*Germany.* — The application of the Employment Exchanges Act of 22 July 1922 and of the other laws and orders in force devolves upon the Ministry of Lab-

our, the various employment exchange authorities set up by the Act — Federal Employment Board and State Employment Boards — and the State authorities.

*Great Britain.* — Compliance with the various Employment Exchange and Unemployment Insurance Acts is enforceable under specific provisions contained in the Acts. As the furnishing of statistics by the employment exchanges is under the control of the Ministry of Labour, no other measures for enforcement are necessary. Associations of employers and employed are not compelled to furnish statistics, but these returns have for many years been rendered voluntarily. The Ministry of Labour, through the Intelligence and Statistical Department, furnishes statistics and other information to the International Labour Office. Through the Unemployment Insurance Department it administers the employment exchanges and the schemes for unemployment benefit.

*Greece.* — The Directorate of Labour and Social Welfare is responsible for supervising the employment exchanges, which are administered by committees under the labour inspector.

*India.* — The machinery set up for providing employment under the Provincial Famine Code is supervised by the Government through the revenue staff, supplemented where necessary by special officers and staff appointed for the purpose.

*Irish Free State.* — The Department of Industry and Commerce is responsible for the application of the legislative and administrative regulations bearing on the Convention.

*Italy.* — The supervision of the employment exchange system is entrusted to the General Department of Labour and Social Welfare of the Ministry of National Economy. This Department has a Labour Division, entrusted with the supervision and registration of employment agencies, and a Social Welfare Division, upon which devolves the control of insurance. For the purposes of inspection the Department has recourse to the labour inspectorate, which is the specific supervising authority placed directly at its disposal for the application of all labour legislation.

*Japan.* — The application of unemployment legislation is entrusted to (1) the Bureau of Social Affairs under the Ministry of Home Affairs, as regulated by §§ 3, 7, 8 and 12 of the Exchanges Act (the Imperial Ordinance No. 460 determines the organisation of this Bureau and No. 107 that of the Employment Exchange Boards); (2) the directors of the Employ-



ment Exchange Boards, as laid down in § 12 of the Exchanges Act and §§ 1 and 8 of the Imperial Ordinance No. 107; (3) the chief of city, town or village, in accordance with §§ 1 and 4 of the Exchanges Act and §§ 1, 7 and 8 of the Home Department Ordinance No. 9. In addition, the organisation, powers and duties of the Employment Exchanges Commissions instituted by § 8 of the Exchanges Act are provided for by an Imperial Ordinance. (See also introductory note).

*Norway.* — The inspector of employment exchanges and unemployment funds supervises the activities of these institutions.

*Poland.* — The supervision of employment exchanges is carried out, in pursuance of the Act of 2 August 1919, by the voivods as intermediary authorities and by the Ministry of Labour and Social Welfare as the final authority.

*Rumania.* — The supervision of the application of the relevant legislation devolves upon the General Labour Directorate and is carried out by the factory inspectors.

*Spain.* — Supervision is exercised by the Ministry of Labour, to which the central labour inspection service is attached.

*Sweden.* — The powers conferred on the State by virtue of the allocation of State funds for the maintenance of the public employment exchanges are exercised by the Labour and Social Welfare Administration. The special committees appointed by the communal authorities are responsible for the direct management of the employment exchanges.

*Switzerland.* — The Federal Department of Public Economy exercises general supervision through the Federal Labour Office.

#### IV. *Application to colonies, etc.*

*Denmark.* — The instrument of ratification specified that the Convention should not apply to *Greenland*.

*France.* — The Government reports that the Convention will not be applied to French overseas possessions in consequence of local conditions.

*Great Britain.* — The Government considers the Convention inapplicable to all British colonies, protectorates and possessions which are not fully self-governing.

*Italy.* — The legislation in force relating to employment exchanges and unemployment has not yet been extended to the colonies.

*Japan.* — This subject is now being considered with a view to applying the Acts and regulations in force as far as circumstances in future permit application in these territories.

*Spain.* — The report for 1925 stated that the legislation in force applies to all territories under Spanish sovereignty.

The question does not arise in the case of *South Africa, Austria, Bulgaria, Estonia, Finland, Germany, Greece, India, Norway, Poland, Rumania, Sweden and Switzerland*.

#### Convention concerning the employment of women before and after childbirth.

##### I.

This Convention first came into force on 13 June 1921. Reports have been received in respect of the year ended 31 December 1926 from *Bulgaria, Chile, Greece, Rumania and Spain*.

The *Greek* Government states that the Convention was put into effect by Act No. 2274 of 1 July 1920. This Act contained the text of the Convention and prescribed in § 3 that the provisions of the Convention should be incorporated by Royal Decree in the existing laws. The Government further states that the Ministry of National Economy, by its Circular No. 23 of 16 July 1920 to all competent authorities, explained the purpose of Act No. 2274 and invited those authorities to communicate its contents to the workers' and employers' organisations and to endeavour to explain its provisions to them. As regards the question of maternity benefit, the report states that it will be dealt with by the new Bill relating to social insurance which provides for the institution of maternity insurance in Greece. At present various sums are included in the Budget for the direct payment of benefit by the State. (See also the introductory statement to the summary of the reports on the *Hours Convention*.)

As regards *Rumania*, the Government, in reply to the letter of the International Labour Office of 17 December 1925 transmitting the forms for annual reports under Article 408 of the Treaty of Versailles, explained in a communication dated 17 March 1927 that the provisions of the Convention have been taken into account in drafting a Bill relating to the work of minors and women, which is at present being considered by the Superior Legislative Council and which will shortly be submitted to Parliament.

The following table shows the countries which have ratified the Convention and

which are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Bulgaria . . . . .	14.	2.	1922	14.	2.	1922	19.	3.	1927
Chile. . . . .	15.	9.	1925	15.	9.	1925	3.	7.	1927
Greece . . . . .	19.	11.	1920	13.	6.	1921 <sup>1</sup>	26.	2.	1927
Rumania . . . . .	13.	6.	1921	— <sup>2</sup>			21.	3.	1927
Spain . . . . .	4.	7.	1923	22.	8.	1923	13.	4.	1927

<sup>1</sup> General date of coming into force of the Convention. The Greek report, however, indicates that the Convention came into effect in Greece on 10 July 1920.  
<sup>2</sup> See introductory note above.

II. Legislation.

ARTICLE 1 of the Convention is as follow :

For the purpose of this Convention, the term “ industrial undertaking ” includes particularly :

(a) Mines, quarries, and other works for the extraction of minerals from the earth.

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed ; including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind.

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork, or other work of construction, as well as the preparation for or laying the foundation of any such work or structure.

(d) Transport of passengers or goods by road, rail, sea, or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

For the purpose of this Convention, the term “ commercial undertaking ” includes any place where articles are sold or where commerce is carried on.

The competent authority in each country shall define the line of division which separates industry and commerce from agriculture.

*Bulgaria.* — The Soeial Insurance Act of 6 March 1924<sup>1</sup> covers all wage-earning and salaried employees of a State, public or private establishment, undertaking or estate, who are not liable to deductions from their pay under any clause of the Pensions Act. The term “ wage-earning and salaried employees ” is held to mean “ all persons engaged for work, irrespective of sex, age, nationality or nature of employment or remuneration. ” The Act thus makes no distinction between workers employed in industry, commerce and agriculture, insurance being obligatory in all cases except where the worker is covered through other State funds.

*Chile.* — The Deerec No. 345 of 28 May 1925, approving the Regulations for the application of the Legislative Deerec No. 442 of 20 Mareh 1925<sup>1</sup>, provides in § 1 that “ the provisions of these Regulations shall apply to all factories, workshops and industrial and commereial establishments of every kind, whether public or private or belonging to a public body, if twenty or more women are employed therein. This provision shall also apply to branches or dependeneies of the above-mentioned establishments. It shall likewise apply to all other establishments in which twenty or more women are employed, even if they are establishments of a philanthropic character. ” The report states that the line of division which separates industry and commeree from agriculture has not been defined.

*Greece.* — The Aet No. 2274 of 1 July 1920 contains the text of the Convention. The line of division which separates industry and commeree from agriculture has not yet been defined.

*Spain.* — § 1 of the Deerec of 21 August 1923<sup>2</sup> provides that § 9 of the Aet of 13 Mareh 1900 (amended by the Aet of 8 January 1907)<sup>3</sup> respecting the employment of women and children shall be amended to cover all women wage-earners. In virtue of § 9 as amended all women wage-earners are covered by the provisions relating to absenee from work and the right to continued employment. As regards maternity benefit, § 3 of the Deerec lays down that provisionally, and pending the establishment of a compulsory insurance fund, maternity relief is to be granted to all women wage-earners and salaried employees on the condition, *inter alia*, that they are affiliated to the compulsory system of workers’ pensions, which applies to workers in industry, commerce and

<sup>1</sup> L.S., 1924, Bulg. 1.

<sup>1</sup> L. S. 1925, Chile 3.  
<sup>2</sup> L. S., 1923, Sp. 4.  
<sup>3</sup> B. B., Vol. II, 1907, p. 220.



agriculture whose earnings are not more than 4,000 pesetas a year. The Royal Order of 5 January 1924 provides that women school-teachers, pupil teachers, inspectors or officials of any kind under the Ministry of Public Instruction and Fine Arts are to be covered by the general system instituted by the Royal Decree of 21 August 1923. A Royal Order of 15 September 1926 further extended maternity benefit to cover the women officials of all official Departments and public bodies.

*ARTICLE 2 of the Convention is as follows :*

For the purpose of this Convention, the term "woman" signifies any female person, irrespective of age or nationality, whether married or unmarried, and the term "child" signifies any child whether legitimate or illegitimate.

*Bulgaria.* — No specific definitions of the terms "woman" and "child" are given in the Social Insurance Act which, however, covers persons engaged for work irrespective of sex, age or nationality.

*Chile.* — The legislation cited in the report does not define the terms "woman" and "child".

*Greece.* — The Act No. 2274 of 1 July 1920 contains the text of the Convention.

*Spain.* — § 1 of the Decree of 21 August 1923 provides that § 9 of the Act of 13 March 1900 shall be amended to cover "all women wage-earners, irrespective of age, nationality or marital status."

*ARTICLE 3 of the Convention is as follows :*

In any public or private industrial or commercial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, a woman

(a) Shall not be permitted to work during the six weeks following her confinement.

(b) Shall have the right to leave her work if she produces a medical certificate stating that her confinement will probably take place within six weeks.

(c) Shall, while she is absent from her work in pursuance of paragraphs (a) and (b), be paid benefits sufficient for the full and healthy maintenance of herself and her child, provided either out of public funds or by means of a system of insurance, the exact amount of which shall be determined by the competent authority in each country, and as an additional benefit shall be entitled to free attendance by a doctor or certified midwife. No mistake of the medical adviser in estimating the date of confinement shall preclude a woman from receiving these benefits from the date of the medical certificate up to the date on which the confinement actually takes place.

(d) Shall in any case, if she is nursing her child, be allowed half an hour twice a day during her working hours for this purpose.

*Bulgaria.* — The Social Insurance Act does not contain an exception for undertakings where only members of the same family are employed. With regard to the provisions of paragraphs (a) and (b), § 21

of the Act defines the period of confinement as "a period of not more than twelve weeks, not less than one nor more than six of which precede the confinement, and not less than one nor more than six of which follow it," and provides that a woman shall not be dismissed during this period. With regard to pecuniary benefits and medical attendance, by § 21 pregnant and lying-in women, provided that they have paid their membership contributions to the social insurance fund for not less than sixteen consecutive weeks before the period of confinement, are entitled to medical and pecuniary assistance to the extent specified in the Act. The benefits amount to from 12 to 30 levas a day, and the medical relief includes the services of a doctor or midwife and the supply of the necessary pharmaceutical products. A mistake of the medical practitioner in fixing the date of the confinement does not disqualify the woman from receiving the benefits. Provision is also made for hospital treatment in cases where the medical officer decides that this is necessary. Lastly, with regard to nursing intervals, the same section provides that "during a period of six months after her confinement, every mother nursing her child shall be granted two half-hour breaks a day at her request, one in the morning and the other in the afternoon, without deduction from her wages."

*Chile.* — The exception relating to undertakings in which only members of the same family are employed does not appear in the Legislative Decree of 20 March 1925 or in the Regulations issued in application thereof. These measures, however, only apply, as shown under ARTICLE 1, to undertakings employing twenty or more women. § 1 of the Legislative Decree provides that "women workers shall be entitled to leave during pregnancy amounting to forty days before and twenty days after confinement. During this period the employer or owner of the undertaking shall be bound to keep open her post for the woman in question and to pay her 50 per cent. of her wages, notwithstanding any agreement which may have been concluded to the contrary." § 2 of the Regulations provide that the above-mentioned leave shall be granted on production of a certificate issued by a doctor or midwife showing that the woman in question has reached a stage of pregnancy entitling her to rest. If confinement takes place more than forty days after the date on which the leave began, the employer is bound to extend the leave on production of a further certificate of a doctor or midwife attesting the facts, and the right to 50 per cent. of wages continues during this extended leave (§ 3 of the Regulations). The above-mentioned certificates must be issued free of charge by such doctors as are in receipt of remuneration from



public funds. Further provision for medical attendance and pecuniary benefits is made in the Compulsory Insurance Act No. 4,054 of 8 September 1924<sup>1</sup>, which applies, with certain restrictions, to all employed persons whose wage or salary does not exceed 5000 pesos a year if they are living in a provincial capital, or 3000 pesos if they are living in another town or locality. § 14 (c) of this Act provides that the insurance fund shall grant "medical attendance for insured women during pregnancy, at the confinement and during the period following the confinement, and also an allowance equal to 50 per cent. of the wage of the insured person during the first three weeks after childbirth and equal to 25 per cent. thereafter until the weaning of the child, if it is nursed by the mother." The effect of these provisions, states the report, is that women in childbirth receive 50 per cent. of wages before confinement, full wages for 21 days after confinement — 50 per cent. being paid by the employer and 50 per cent. by the insurance fund — and nursing mothers receive thereafter an additional benefit equal to 25 per cent. of wages for a period not exceeding eight months. Finally, according to § 4 of the Legislative Decree of 20 March 1925 and §§ 5 and 6 of the Regulations, nursing mothers are entitled to two breaks of half-an-hour each for the purpose of nursing their children, and no deductions may be made from wages on this account. Crèches must also be provided in all undertakings employing more than twenty women workers (§ 3 of the Decree and §§ 10-14 of the Regulations).

*Greece.* — The Act No. 2274 of 1 July 1920 contains the text of the Convention.

*Spain.* — § 1 of the Decree of 21 August 1923 amends § 9 of the Act of 13 March 1900 by providing that "a woman shall not be employed during the six weeks following her confinement" and that "a woman in the eighth month of pregnancy shall be entitled to leave her work on production of a medical certificate stating that her confinement will probably take place within six weeks." With regard to benefits, § 1 of the Decree of 21 August 1923 provides that women in childbirth entitled to benefits shall be given during their absence from work the free attendance of a doctor or midwife and a daily benefit sufficient for the healthy maintenance of the mother and child. By the provisional benefit system set up, the State grants a subvention or bonus of 50 pesetas for each confinement in order to meet the costs of medical assistance and for the maintenance of mother and child. All women wage-earning and salaried employees are

on confinement entitled to the above allowance provided that they are covered by the compulsory pensions system, that they do not abandon the newly-born child and that they refrain from all work for a fortnight. The provisions for nursing mothers are contained in § 1 of the Decree of 21 August 1923 amending § 9 E (2) of the Act of 13 March 1900. Nursing mothers are "entitled to one hour's rest in the day during working hours for the purpose of nursing their children, to be taken in two breaks of half an hour each." These breaks may be taken "whenever the mothers think fit, with no other formality than notification to the manager on beginning work of the times which they have chosen. No deduction of any kind shall be made from wages in respect of the hour's break for nursing." In the case of the persons covered by the Orders of 5 January 1924 and 15 September 1926, it is provided that when any one of the persons mentioned shall have reached the eighth month of pregnancy, she shall have the right to absent herself from her employment with full salary until confinement and during forty days after confinement.

#### ARTICLE 4 of the Convention is as follows :

Where a woman is absent from her work in accordance with paragraphs (a) or (b) of Article 3 of this Convention, or remains absent from her work for a longer period as a result of illness medically certified to arise out of pregnancy or confinement and rendering her unfit for work, it shall not be lawful, until her absence shall have exceeded a maximum period to be fixed by the competent authority in each country, for her employer to give her notice of dismissal during such absence, nor to give her notice of dismissal at such a time that the notice would expire during such absence.

*Bulgaria.* — The Social Insurance Act provides by § 21 that "a woman shall not be dismissed during pregnancy or confinement on account of her pregnancy; nevertheless, if she is sick for more than six weeks in consequence of her confinement, she may be dismissed and treated as a sick person at the expense of the Fund in accordance with the general provisions." The Government reports that the period during which such sickness benefit is granted is six months. If at the end of that time the insured woman is not restored to health, she receives an indemnity of 450 levas in lieu of any further claim on the Fund.

*Chile.* — § 2 of the Legislative Decree of 20 March 1925 provides that an employer may not dismiss a woman worker without reasonable cause while she is pregnant, and that a reduction in output owing to pregnancy shall not be deemed to be a reasonable cause for dismissal. In addition to the provision in § 1 of the Decree that an employer must keep a woman's post open during the normal

<sup>1</sup> L. S. 1924, Chile 1.



period of leave, it is further provided in § 3 of the Regulations that, if confinement is followed by an illness directly due to the confinement which prevents a woman from working for a period exceeding twenty days from the date of confinement, the employer shall be bound to extend the leave on production of a certificate issued by a doctor or midwife attesting the facts, and must continue to pay the said woman 50 per cent. of her wages.

*Greece.* — The Act No. 2274 contains the text of the Convention.

*Spain.* — § 1 of the Decree of 21 August 1923 amends § 9 (C) of the Act of 13 March 1900 to provide that during the six weeks before and the six weeks after childbirth the employer is required to keep the woman worker's employment open for her. By the amended § 9 (D), where a woman leaves or remains absent from her work for periods exceeding the two periods of six weeks "on the ground of an illness which is medically certified to be due to pregnancy or confinement and which renders her unfit for work," the obligation to keep the employment open continues to be binding on the employer for a period not exceeding twenty weeks.

### III. Enforcement of legislation.

*Bulgaria.* — The application of the Social Insurance Act is entrusted to the factory inspectors under the control of the Ministry of Commerce, Industry and Labour. The Ministry is assisted by the Superior Labour and Social Insurance Council consisting of sixteen representatives of the State, eight of employers, eight of wage-earning employees, two of the medical profession and eight persons "well known on account of their work in connection with social legislation." Applications for medical attendance and pecuniary benefit are dealt with by the factory inspection authorities. Disputes are settled by an arbitration court consisting of one of the local justices of the peace acting as chairman and one representative each of employers and workers. All hospitals and sanatoria in Bulgaria are bound to admit the sick insured persons duly assigned to them and preference must be given to maternity cases. All doctors and chemists are likewise bound to give or to procure the services required of them. Contraventions of the Act committed by medical practitioners are established by reports from the medical inspectors of the Fund, forwarded to the Superior Medical Council and thence, with the conclusions of the Council, to the Ministry of Commerce,

Industry and Labour which may impose on the offender a fine of not exceeding 5,000 levas, or in case of repetition of the offence, 10,000 levas. With regard to the supervision of the Act in industrial undertakings, the factory inspectors, who possess the right of entry and that of questioning the workers, proceed by the same method of report to the Ministry. The fines are within the same limits. Appeals are not allowed against orders of the Minister imposing fines of not exceeding 300 levas. Against higher penalties appeals lie to the court, to which moreover the Ministry may also bring cases when it considers such action justified.

*Chile.* — The supervision of the application of the relevant legislation is entrusted to the General Labour Directorate, the officials of which, in accordance with § 7 of the Legislative Decree of 20 March 1925, have the right to inspect the factories and workshops which employ women whenever they think fit, and must report to the Director-General any irregularities which they may observe with respect to the carrying out of this legislation. Contraventions entail liability to fines of not less than 100 nor more than 500 pesos. In case of repetition of the offence, the fines amount to not less than 500 nor more than 1000 pesos, and application may be made for the closing of the establishment. The authorities for imposing fines are the courts of law. The amounts of all fines imposed are paid into a special "Fund for the assistance of working mothers."

*Greece.* — The application of the Act No. 2274 is entrusted to the factory inspectorate. Contraventions of the provisions of the Convention are punishable under §§ 18, 19 and 20 of the Act concerning the work of women and minors<sup>1</sup>. This Act also governs the organisation of the labour inspection service and the powers of the inspectors, who, by virtue of § 23, are entitled to enter the factories and workplaces under their supervision at any time during the day and, if the work is carried on at night, during the night also. The managers of undertakings are required to furnish information with respect to the number, age and sex of their workers and generally all information required for carrying out the Act. Infringements of the law render employers or managers liable to a fine of from 25 to 100 drachmas for each separate offence, provided that the total amount does not exceed 500 drachmas; in the case of a repetition of the offence within a year double penalties are enforced. Obstruction of the inspecting authorities is punishable by a fine of not

<sup>1</sup> B.B., Vol. VII, 1912, pp. 285-290.



exceeding 500 draehmas for the first offence and of not exceeding 1,000 draehmas for subsequent offences. The refusal of or the provision of false information renders the offender liable to a fine of from 10 to 100 draehmas.

*Spain.* — As regards the application of the legislative measures relating to benefits, paragraphs (C), (D) and (E) of § 9 of the Act of 13 March 1900 as amended by § 1 of the Royal Decree of 21 August 1923 lay down that the administration and distribution of the initial maternity fund created for providing these benefits shall devolve upon the National Welfare Institute. The Institute exercises these functions on the basis of the co-operation of regional and provincial funds. For purposes of the distribution of benefits, these bodies utilise, in their turn, the maternity friendly societies of each locality, or in their absence, the mutual assistance societies or *Montepios* of which the recipients of benefits are members, and which, in the judgment of the regional and provincial funds, offer sufficient guarantees. The Institute, and the funds working with it, endeavour to promote the constitution of maternity friendly societies. The benefits must be applied for within three months from the date of confinement, the application being addressed in writing to the regional or provincial fund concerned, or, in absence thereof, to the National Welfare Institute, and accompanied by the documents required by the law. The fact that the administration and distribution of maternity benefit falls to the National Welfare Institute means that the supervision of application devolves upon the inspectorate of the compulsory old age pension system, the duties of which are, in accordance with § 1 of its provisional regulations of 24 July 1921, to see that employers fulfil their obligation to insure all their workers and employees who are covered by the system in accordance with the regulations. As regards the other provisions relating to the employment of women before and after childbirth, their enforcement falls to the authorities and the general body of labour inspectors.

#### IV. *Application to colonies, etc.*

The question does not arise in the case of *Bulgaria, Chile and Greece.*

*Spain.* — In its first annual report the Government stated that Spanish legislation on the subject of the Convention is applicable to all colonies and protectorates. It does not appear from subsequent reports that it has yet been put into execution in the colonies.

### Convention concerning employment of women during the night.

#### I.

This Convention first came into force on 13 June 1921. Reports have been received in respect of the year ended 31 December 1926 from *South Africa, Austria, Belgium, Bulgaria, Czechoslovakia, Estonia, France, Great Britain, Greece, India, Irish Free State, Italy, Netherlands, Rumania and Switzerland.*

The *South African* Government reports that at the date of ratification of the Convention legislative provision existed for the enforcement (with certain exceptions) of the Convention in the shape of the Factories Act No. 28 of 1918, which came into force on 1 May 1919, but that owing to the definition of "factory" that Act did not cover all employees. The Industrial Conciliation Act, 1924<sup>1</sup>, which came into force on 8 April of that year, and the Wage Act of 1925<sup>2</sup>, which came into force on 12 February 1926, the one supplementing the other, extend this protection to the excluded workers in those industries which have come within the scope of their operation. It is stated that as more industries are brought under these two Acts any deficiency that may exist in the provision for the maximum application of the terms of the Convention will disappear. It is emphasised, however, that even under existing conditions this deficiency is very small and that practically all women workers in industry in the Union are in fact protected against employment at night.

The Government of *Austria*, whilst citing the Act of 14 May 1919 relating to the prohibition of night work for women and young persons in industrial undertakings and the Mining Act of 28 July 1919 as the legislation upon which the application of the Convention is based, points out that the provisions of the Convention have themselves been embodied in Austrian law in virtue of their publication in the *Bundesgesetzblatt* of 19 July 1924. The provisions of the Convention have, therefore, legal effect and complete those of the older legislation; exceptions can only be granted when they are permitted not only by the provisions of the Austrian laws prohibiting night work, but also by the Convention.

The *French* Government states that an Act to amend §§ 20 a-28 and 96 of Book II of the Code of Labour and Social Welfare (night work of women and children)<sup>3</sup>,

<sup>1</sup> L.S. 1924, S.A. 1.

<sup>2</sup> L.S. 1925, S.A. 1.

<sup>3</sup> L.S. 1925, Fr. 1.



dated 24 January 1925, has brought the provisions of the Code into conformity with the Convention. Before the adoption of this Act, and immediately after the Washington Conference, the French Government had taken steps to suppress the night work of women in undertakings with continuous processes, and the report shows that from 1920 to 1924 the number of women so employed was reduced from 208 to 20 or from 0.28 to 0.017 of the total number of workers employed at night. Since 1925 the employment of women at night in such undertakings has been completely abolished.

The *Greek* Government states that the Convention was put into effect by Act No. 2275 of 1 July 1920. This Act contained the text of the Convention and prescribed in § 3 that the provisions of the Convention should be incorporated by Royal Decree in the existing laws. It is further stated that the Ministry of National Economy, by its Circular No. 23 of 16 July 1920 to all competent authorities, explained the purpose of Act No.

2275 and invited these authorities to communicate its contents to the workers' and employers' organisations and to endeavour to explain its provisions to them. (See also the introductory note to the summary of the reports on the *Hours Convention*.)

As regards *Rumania*, the Government, in reply to the letter of the International Labour Office of 17 December 1926 transmitting the forms for annual reports under Article 408 of the Treaty of Versailles, explained in a communication dated 17 March 1927 that the provisions of this Convention have been taken into consideration in drafting the Bill relating to the employment of minors and women, which is under examination by the Superior Legislative Council and which will be submitted to Parliament in the near future.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
South Africa . . . . .	1.	11.	1921	1.	11.	1921 <sup>1</sup>	2.	3.	1927
Austria . . . . .	12.	6.	1924	20.	7.	1924 <sup>2</sup>	11.	3.	1927
Belgium . . . . .	12.	7.	1924	12.	7.	1924 <sup>3</sup>	22.	1.	1927
Bulgaria . . . . .	14.	2.	1922	22.	2.	1922	19.	3.	1927
Czechoslovakia . . . . .	24.	8.	1921	18.	3.	1922 <sup>4</sup>	28.	2.	1927
Estonia . . . . .	20.	12.	1922	6.	6.	1924	7.	2.	1927
France. . . . .	14.	5.	1925	14.	5.	1925	7.	5.	1927
Great Britain . . . . .	14.	7.	1921	14.	7.	1921 <sup>5</sup>	11.	2.	1927
Greece . . . . .	19.	11.	1920	13.	6.	1921 <sup>6</sup>	26.	2.	1927
India . . . . .	14.	7.	1921	14.	7.	1921 <sup>7</sup>	24.	2.	1927
Irish Free State. . . . .	4.	9.	1925	4.	9.	1925	26.	3.	1927
Italy . . . . .	10.	4.	1923	27.	6.	1923 <sup>8</sup>	19.	3.	1927
Netherlands . . . . .	4.	9.	1922	4.	9.	1922	7.	1.	1927
Rumania . . . . .	13.	6.	1921	— <sup>9</sup>			21.	3.	1927
Switzerland. . . . .	9.	10.	1922	10.	10.	1922 <sup>10</sup>	10.	2.	1927
				1.	10.	1923 <sup>11</sup>			

<sup>1</sup> The Factories Act, under which the provisions of the Convention are applied, came into force on 1 May 1919.  
<sup>2</sup> In accordance with Article 49 of the Constitution the Convention was published in the *Bundesgesetzblatt* of 19 July 1924 and came into force the next day.  
<sup>3</sup> The amendments to the Act relating to the employment of women and children of 28 February 1919, made by § 31 of Eight Hour Day Act of 14 June 1921, came into force on 1 July 1922.  
<sup>4</sup> Legislation in force since 1919.  
<sup>5</sup> The legislation applying the Convention came into force on 1 January 1921.

<sup>6</sup> The Report states however that the provisions of the Convention were put into force on 10 July 1920.  
<sup>7</sup> Legislation in force since 1911.  
<sup>8</sup> The Report states that the Royal Decree of 29 March 1923 giving effect to the provisions of the Convention was published in the *Gazzetta Ufficiale* of 12 June 1923 and came into force on 27 June 1923.  
<sup>9</sup> See introductory note above.  
<sup>10</sup> Generally.  
<sup>11</sup> As regards small undertakings.

## II. Legislation.

### ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term "industrial undertaking" includes particularly :

(a) Mines, quarries, and other works for the extraction of minerals from the earth ;

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed ; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind ;

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, water-work, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

*South Africa.* — § 1 of the Factories Act of 1918 defines the term "factory" as including "any premises in which, or in connection with which, steam, electrical, or other mechanical power or appliance is used for the purpose of preparing or making goods for trade or sale, or articles of food or drink for sale for human consumption" (paragraph (a)), and, provided that three or more persons are employed on wholtime work, laundries and dye works (paragraph (b)) and industrial undertakings not falling under paragraph (a), which carry on for the purposes of gain any manufacture, or the making, packing or preparation of goods for sale or consumption (paragraph (c)). As regards, more particularly, undertakings employing less than three persons, reference is made to the Industrial Conciliation Act, 1924, and the Wage Act, 1925. Under the Industrial Conciliation Act, industrial councils or conciliation boards, representing employers and workers in an industry, trade or occupation in a specified area, may be established. These bodies may conclude agreements determining the conditions of labour in the industry concerned, and such agreements may be declared by the Minister of Labour to be legally binding in the area concerned upon the parties to the agreement, or, if the parties are sufficiently representative of the industry, trade or occupation, upon all employers and workers within the area (§ 9). By § 24 of this Act the term "employer" means any person or body of persons (including a local authority), whether corporate or unincorporate, employing two or more employees (as defined) upon any undertaking in an industry, trade or occupation to which the Act applies. It follows therefore that, broadly speaking, a woman employed in an industrial undertaking in which she is the sole employee

cannot be protected as to her hours of labour either in virtue of an agreement under the Industrial Conciliation Act or in terms of the Factories Act. The combined operation of the Factories Act and the Industrial Conciliation Act, however, has had the effect of leaving very few women industrial workers unprotected in respect of their hours of work. These unprotected women comprise (a) where no industrial agreement exists : all women working in undertakings with less than three employees and using no mechanical power ; and (b) where an industrial agreement exists : all women working in undertakings with less than two employees. The Factories Act and the Industrial Conciliation Act are further supplemented by the Wage Act of 1925, which came into force on 12 February 1926. Under this Act, a Wage Board has been established which has power *inter alia* to make recommendations to the Minister of Labour regarding the hours of work of the employees in any industrial occupation which has formed the subject of investigation under the Act. The Minister may in accordance with certain procedure make a final determination in terms of the Wage Board's recommendations, fixing for a specified period the conditions of labour in the industrial occupation in question, including hours of work. By means of such a determination which is not limited by the size of an industrial undertaking as under the two Acts previously mentioned, it is possible to protect the woman worker in establishments outside the scope of the Factories Act or the Industrial Conciliation Act. Already determinations under the Wage Act are in force in the sweet-making, clothing (other than bespoke tailoring), baking and confectionery industries, and at the date of report determinations were pending in a number of other industries. Commercial undertakings and agricultural operations as defined are excluded from the scope of the Factories Act<sup>1</sup>. Agriculture and farming industries are also specifically excluded from the operation of the Industrial Conciliation Act and the Wage Act. Subject to this, no restriction is imposed on the class of occupation which may be regulated under the latter Acts.

<sup>1</sup> § 2 (2) expressly defines and excludes agriculture in the following words : "The provisions of this Act shall not apply to any farm in respect of the making, packing or preparation, by a bona fide farmer who is also the owner or occupier thereof, of produce grown or animals kept by him, of goods for transport, trade or sale as food or drink for human consumption." § 2 (3) similarly defines commercial undertakings : "This Act shall not be considered as modifying those provisions of Act No. 12 of 1911 and the regulations made therein which relate to works and machinery, or the laws relating to the hours of opening and closing of shops or as including within the definition of factory such portions of premises as are shops in any such law." The control of these commercial undertakings as defined is reserved to enactment by the provincial authorities.



*Austria.* — The Act of 14 May 1919 relating to the prohibition of night work for women and young persons in industrial undertakings<sup>1</sup> applies to all undertakings covered by the Industrial Code<sup>2</sup> and undertakings owned by corporations, especially those owned by the State, a province or a municipality, to which the Industrial Code would apply if they were carried on by way of trade; to all undertakings and establishments to which the Industrial Code does not apply, in which merchantable articles are produced or materials treated by way of trade, excluding agriculture and forestry and mining undertakings dealing with reserved minerals and works established by virtue of a mining concession. The Mining Act of 28 July 1919<sup>3</sup> applies to mining undertakings dealing with reserved minerals including works erected under mining concessions. As, however, the publication of the text of the Convention in the *Bundesgesetzblatt* of 19 July 1924 has embodied its provisions in Austrian law, the definition of the term industrial undertaking contained in Article 1 of the Convention prevails against any narrower definition which might be contained in the earlier legislation. The report states that §§ 1-5 of the Act of 14 May 1919 contain an exact definition of the undertakings covered by the provisions of the Act. The Austrian Act, however, goes further than the Convention in that it also applies to commerce; agriculture and forestry undertakings only are excluded from the scope of the Act.

*Belgium.* — § 1 of the Act relating to the employment of women and children of 28 February 1919<sup>4</sup>, as amended by § 31 of the Eight-Hour Day Act of 14 June 1921<sup>5</sup>, defines the field of application as: (1) undertakings covered by the Eight-

Hour Day Act; (2) establishments classified as dangerous, unhealthy and noxious; (3) transport by water. The undertakings covered by the Eight-Hour Day Act are given in § 1 of this Act as follows: (1) mines, surface mines, quarries and other works for the extraction of minerals from the earth; (2) industries in which goods are manufactured, raw materials or manufactured articles transformed, ornamented, finished, cleaned, or adapted for sale; (3) repair, cleaning, restoration of materials, effects or other used goods, as well as demolition of materials; (4) building and auxiliary industries, including maintenance, repair and demolition; (5) public works; (6) private works executed by civil engineers (*génie civil*), other than those proper to the building industry; (7) gas and water-works; (8) generation, transformation and transmission of electricity and motive power; (9) construction, transformation and demolition of ships and boats, their maintenance or repair by workers other than the crews; (10) transport by land; (11) loading, unloading and handling of goods at ports, quays, warehouses and stations; (12) dairies and cheese-factories; (13) offices of commercial undertakings. The report states that the "Act relating to the employment of women and children does not apply to agriculture. It applies to commercial establishments when and to the same extent as the Eight-Hour Day Act, in accordance with § 1 of the Act of 14 June 1921, is extended by Royal Order to cover these undertakings. No useful purpose would be served by establishing a line of demarcation between industry and commerce in this case and, consequently, it has not been done."

*Bulgaria.* — The Act of 1917 respecting the health and safety of workers<sup>1</sup>, § 18 of which prohibits the night work of women, applies to "all industrial undertakings, workshops, commercial undertakings and transport undertakings" (§ 1 (1)). Agricultural undertakings are excluded, but industrial and commercial undertakings carried on in connection therewith, e.g., workshops, transport undertakings, etc., are subject to the night work prohibition.

*Czechoslovakia.* — The Eight-Hour Day Act of 19 December 1918<sup>2</sup>, § 9 of which prohibits the night work of women, applies generally to industries, to commerce and, save for a few exceptions, to agriculture.

*Estonia.* — § 1 (a) to (c) of the Employment of Children, Young Persons and Women Act of 20 May 1924<sup>3</sup> reproduces

<sup>1</sup> L.S., 1919, Aus. 7.

<sup>2</sup> The Act promulgating the Industrial Code of 1859 stipulates that the provisions of the Code shall apply to all activity carried on for gain whether in producing, working up or altering transportable goods, to the running of commercial establishments and to the execution of services and work. From its scope are excluded (a) agriculture and forestry, together with allied industries in so far as their purpose is the working up of the products themselves, (b) mines and installations dependent upon a concession granted by the mining authorities in accordance with the Mining Act, (c) literary work, the right of authors to publish their own works and the fine arts, (d) jobbing work, (e) domestic work, (f, g, h, i, k) the liberal professions, teaching, financial establishments, public educational or reformatory establishments, (l) railways and steamship navigation, (m) maritime navigation subject to the Maritime Acts and sea fishing, (n) undertakings connected with public ferries on rivers, lakes, canals, lumbering, etc., (o) public amusements, etc., (p) undertakings connected with the production and sale of periodical publications, (q) hawking, etc.

<sup>3</sup> L.S., 1919, Aus. 11.

<sup>4</sup> L.S., 1919, Bel. 2.

<sup>5</sup> L.S., 1921, Bel. 1.

<sup>1</sup> B.B., Vol. XIII, 1918, p. 28.

<sup>2</sup> L.S., 1919, Cz. 1.

<sup>3</sup> L.S., 1924, Est. 1.



the terms of Article I (a) to (c) of the Convention, with the addition that among the works for the extraction of minerals from the earth are specifically included peat digging undertakings. No decisions have been taken with regard to the line of division which separates industry from commerce and agriculture. Existing provisions are considered sufficiently definite, but should doubts arise in specific cases they would be settled by the Minister of Labour and Social Welfare.

*France.* — The industrial undertakings to which the provisions of the Convention are applicable are enumerated in § 1 of Book II of the Code of Labour and Social Welfare as follows : works, factories, mines (underground and open workings), quarries, yards, workshops, and their dependencies, of any kind whatsoever, public or private, lay or religious, even when these establishments are of an educational or charitable character.

*Great Britain.* — § 4 of the Employment of Women, Young Persons and Children Act, 1920, reads : "The expression 'industrial undertaking' has with respect to the employment of children, young persons and women the meanings respectively assigned thereto in the Conventions set out in Parts I, II and III of the Schedule to this Act"<sup>1</sup>. No decisions regarding the line of division which separates industry from commerce and agriculture have been given by the competent authority which in Great Britain would be the Courts of Law.

*Greece.* — The Act No. 2275 of 1 July 1920 contains the text of the Convention. The line of division which separates industry from commerce and agriculture has not been fixed.

*India.* — In accordance with Article 5 of the Convention which provides that the application of Article 3 may be suspended by the Government of India in respect to any undertaking except factories as defined by the national law, the sphere of application is limited to factories as defined in the Indian Factories Act of 1911, as subsequently amended<sup>2</sup>.

*Irish Free State.* — § 4 of the Employment of Women, Young Persons and Children Act, 1920, reads : "The expression 'industrial undertaking' has with respect to the employment of children, young persons and women the meanings respectively assigned thereto in the Conventions set out in Parts I, II and III of the Schedule to this Act"<sup>3</sup>. No decisions regarding the line of division which

separates industry from commerce and agriculture have been taken.

*Italy.* — The Legislative Decree of 15 March 1923, No. 748<sup>1</sup>, amending the Act relating to the employment of women and children of 10 November 1907, No. 818<sup>2</sup>, extends the sphere of application "to all industrial undertakings without regard to the number of workers employed" thus bringing "Italian legislation... into harmony with the Convention". As regards the line of division which separates industry from commerce and agriculture, the report states that the provisions of the Legislative Decree of 15 March 1923 relating to its field of application have in no way invalidated the principles of jurisprudence and of administrative practice which were established whilst former legislation was in force. Given the long period during which this legislation has existed these principles furnish reliable criteria for determining adequately the line of demarcation separating industry from commerce and agriculture.

*Netherlands.* — The employment of women in mines and the mining industry is entirely prohibited by the Mining Regulations of 1906 (*Staatsblad* No. 248)<sup>3</sup> as amended by Royal Decrees of 9 February 1917 (*Staatsblatt*, No. 210) and of 7 October 1922 (*Staatsblad* No. 550)<sup>4</sup>. In other industries the night work of women is prohibited by the Labour Act of 1919 (*Staatsblad* No. 624)<sup>5</sup> as amended by Acts of 1921 (*Staatsblad* No. 1122) and of 1922 (*Staatsblad* No. 364)<sup>6</sup>. The line of division which separates industry from commerce and agriculture "is determined by §§ 1-5 of the Labour Act of 1919". § 2 defines factories and workshops both positively and negatively, and § 3 differentiates shops from industrial undertakings.

*Switzerland.* — The provisions of the Federal Factory Act of 18 June 1914-27 June 1919<sup>7</sup> which relate to the employment of women, young persons and children are amended and completed by the Federal Act of 31 March 1922 relating to the employment of young persons and women in industry<sup>8</sup>. The latter Act applies to all public and private industrial undertakings to which the Factory Act does not apply, the term "industrial undertaking" being defined in § 3 as in Article 1 of the Convention. As regards

<sup>1</sup> L.S., 1923, It. 4.

<sup>2</sup> B.B., Vol. II, 1907, p. 578.

<sup>3</sup> B.B., Vol. I, 1906, p. 505.

<sup>4</sup> L.S., 1922, Neth. 4.

<sup>5</sup> L.S., 1919, Neth. 1.

<sup>6</sup> L.S., 1922, Neth. 1.

<sup>7</sup> B.B., Vol. IX, 1914, p. 269 and L.S., 1919, Switz. 3.

<sup>8</sup> L.S., 1922, Switz. 2.

<sup>1</sup> L.S., 1920, G. B. 9.

<sup>2</sup> L.S., 1926, Ind. 2.

<sup>3</sup> L.S., 1920, G. B. 9.



the line of demarcation which separates industry from commerce and agriculture, the agricultural operations which are excluded from the application of the Federal Act relating to the employment of young persons and women in industry are defined by § 4 of the Administrative Order of 15 June 1923<sup>1</sup>. In the case of commerce, the Act and Order exclude it from their field of application without further definition. Should doubt arise regarding the agricultural or commercial character of a particular undertaking, the decision lies with the Industries and Arts and Crafts Division of the Department of Public Economy, subject to appeal to the Federal Council.

*ARTICLE 2 of the Convention is as follows:*

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

In those countries where no Government regulation as yet applies to the employment of women in industrial undertakings during the night, the term "night" may provisionally, and for a maximum period of three years, be declared by the Government to signify a period of only ten hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

*South Africa.* — § 15 of the Factories Act prohibits the employment of women between the hours of 6 o'clock in the evening and 7 o'clock in the morning, a total period of thirteen hours, which, however, may exceptionally be limited by the Minister to the period between 9 p.m. and 5 a.m. Under the Industrial Conciliation Act and the Wage Act a wide latitude is allowed in the fixing of hours of work in accordance with the circumstances of an industry, but the maximum hours permissible under the Factories Act as indicated above may not be exceeded. The Factories Act therefore remains the governing factor in the regulation of hours of work for women in industry, and the necessity for a definition of the term "night" in the later legislation has not arisen. No declaration under paragraph 2 of the Article was necessary.

*Austria.* — The Acts of 14 May 1919 and 28 July 1919 define the term "night" as a period of at least eleven consecutive hours including the interval between 8 p.m. and 5 a.m. In industrial undertakings in which two or more shifts of not more than eight hours are worked, the night's rest for women over sixteen years of age may begin at 10 p.m. In mines the beginning of the night's rest may also be fixed at 10 p.m. but only in the case of women over eighteen years of age. The report states that as the night work of women was already regulated by law the Austrian Government has not had occasion to make

use of the permission granted by paragraph 2 of Article 2.

*Belgium.* — The night rest period is defined in § 8 of the Act relating to the employment of women and children, as amended by § 31 of the Eight-Hour Day Act, as consisting of not less than eleven consecutive hours, including the period from 10 p.m. to 5 a.m. The report points out that there was no occasion for the Government to avail itself of the provisions of the second paragraph of the Article as the principle of the prohibition of the night work of women in industrial undertakings was contained in the Act of 10 August 1911<sup>1</sup>, § 3 of which prescribed a night rest period of eleven consecutive hours including the interval between 9 p.m. and 5 a.m.

*Bulgaria.* — § 18 (2) of the Act of 1917 stipulates that "night work shall be held to be work performed between 8 p.m. and 6 a.m."<sup>2</sup>. No declaration under paragraph 2 of the Article was necessary.

*Czechoslovakia.* — § 8 (1) of the Eight-Hour Day Act defines the term "night" as the period between 10 p.m. and 5 a.m. and "this period is included in the rest period of sixteen hours which (according to § 1 of the Act) follows the eight hours of work." The question of the application of paragraph 2 of Article 2 did not arise.

*Estonia.* — According to § 18 of the Employment of Children, Young Persons and Women Act, the term "night" signifies a period of at least eleven consecutive hours, including the interval between 9 p.m. and 5 a.m., in undertakings working with a single shift, or the interval between 10 p.m. and 5 a.m. in undertakings working with two or more shifts. No declaration was made under paragraph 2 of the Article.

*France.* — § 22 of Book II of the Code of Labour and Social Welfare, as amended by the Act of 24 January 1925, provides that "work performed between 10 p.m. and 5 a.m. shall be deemed to be night work," and § 23 specifies that "the nightly rest period of children of both sexes and of women shall not be less than eleven consecutive hours." The report of the French Government states that, before the passing of the Act of 24 January 1925, the night period was defined as the period between 9 p.m. and 5 a.m. The Government has taken advantage of the possibility given by the Convention to

<sup>1</sup> B.B., Vol. VI, 1911, p. 156.

<sup>2</sup> As an exception, in accordance with Decree No. 24 of 1919, in undertakings in which women are employed to work two shifts, the Minister of Commerce, Industry and Labour may authorise work between the hours of 8 and 9 p.m. and between 5 and 6 a.m.

<sup>1</sup> L.S., 1923, Switz. 1.

change the commencing hour of the night period from 9 p.m. to 10 p.m. because this change facilitates the application of the Eight-hour Day Act of 23 April 1919<sup>1</sup>, in that it makes it easier to organise two day shifts with suitable breaks. The Government has not made use of the second paragraph of Article 2.

*Great Britain.* — The Employment of Women, Young Persons, and Children Act, 1920, reproduces in Part III of the Schedule the provisions of the Convention. The application of paragraph 2 of the Article did not arise.

*Greece.* — The Act No. 2275 of 1 July 1920 contains the text of the Convention. The question of the application of the provisions of paragraph 2 of Article 2 did not arise as § 6 of the Act of 1912 concerning the work of women and minors<sup>2</sup> already prescribed a night rest period of not less than eleven consecutive hours, including the period between 9 p.m. and 5 a.m.

*India.* — According to §§ 24 (a) and 51 (2) of the Factories Act, the normal night period during which employment of women is forbidden is the period between 7 p.m. and 5.30 a.m. but Local Governments are empowered to substitute such one of the following sets of hours as may be deemed suitable: 6.30 p.m. and 5 a.m., 7.30 p.m. and 6 a.m., 8 p.m. and 6.30 a.m., 8.30 p.m. and 7 a.m. As no women may be employed for more than eleven hours per day, the eleven consecutive hours' rest would appear to be assured.

*Irish Free State.* — The Employment of Women, Young Persons, and Children Act, 1920, reproduces in Part III of the Schedule the provisions of the Convention. The question of making a declaration under paragraph 2 of the Article did not arise.

*Italy.* — The Legislative Decree No. 748 of 15 March 1923<sup>3</sup> defines the term "night" in § 2 as "a period of at least eleven consecutive hours, including the interval between 10 p.m. and 5 a.m." No declaration has been made under paragraph 2.

*Netherlands.* — The Labour Act 1919, as amended by the Act of 20 May 1922<sup>4</sup>, prohibits in § 24 (2) the employment of any worker between 6 p.m. and 7 a.m. and stipulates in § 30 (2) that if deviations are authorised under other provisions of the Act "it shall be borne in mind that the work of a young person or a

woman in a factory or workplace on two consecutive days must be divided by a night's rest of not less than eleven consecutive hours and that such person must not work in a factory or workplace between 10 p.m. and 5 a.m." The question of the application of the second paragraph of Article 2 did not arise.

*Switzerland.* — § 66 of the Federal Factory Act of 18 June 1914-27 June 1919 and § 3 of the Federal Act of 31 March 1922 relating to the employment of young persons and women in industry define "night" as a period of not less than eleven consecutive hours including the interval between 10 p.m. and 5 a.m. The declaration allowed by the second paragraph of the Article was not made.

#### ARTICLE 3 of the Convention is as follows:

Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

*South Africa.* — § 15 of the Factories Act, 1918, provides as follows: "Save as is otherwise provided in this Act, the occupier of a factory shall not employ in or about the same any female between the hours of six o'clock in the evening and seven o'clock in the morning or a boy under the age of sixteen years between the hours of six o'clock in the evening and six o'clock in the morning. Provided that those hours may be varied in respect of any trade or factory by the Minister by notice in the *Gazette* but so that the maximum number of hours of work prescribed by the Act for females and boys under the age of sixteen are not increased, and so also that females and boys under that age are not employed in any trade or in or about a factory between the hours of nine o'clock in the evening and five o'clock in the morning." It is pointed out in the report that the provisions of § 15 do not permit females and juveniles working later than nine o'clock at night under any circumstances, and although in factories where perishable goods are manufactured, it is the custom to allow this class of employee to work up to nine o'clock permission is never granted to work beyond this hour or before five o'clock in the morning. No reference is made to the exception for members of the family of the employer. As regards the effect of the Industrial Conciliation Act, 1924, and the Wage Act, 1925, on the employment of women at night, see under ARTICLE 1 and ARTICLE 2.

*Austria.* — § 1 (1) of the Act of 14 May 1919 provides that "in undertakings to which the Industrial Code applies (industrial undertakings), women workers, irrespective of age,... shall not be employed at night, i.e., during the hours between

<sup>1</sup> L. S., 1919, Fr. 3.

<sup>2</sup> B.B., Vol. VII, 1912, p. 285.

<sup>3</sup> L.S., 1923, It. 4.

<sup>4</sup> L.S., 1922, Neth. 1.



8 p.m. and 5 a.m." As regards mines, § 2 (1) of the Act of 28 July 1919 prescribes that "women, irrespective of age..., shall not be employed in connection with mining at night, i.e., between 8 p.m. and 5 a.m." No reference is made to the exception for undertakings in which only members of the same family are employed.

*Belgium.* — § 7 of the Act relating to the employment of women and children, as amended by § 31 of the Eight-Hour Day Act, prohibits the employment of women, without distinction of age, during the night. The Act does not apply to "undertakings in which only the members of the family are employed under the supervision of the father, mother or guardian, provided that such work is not classed as dangerous, unhealthy and noxious, and that no steam boilers or mechanical power are used."

*Bulgaria.* — § 18 (2) of the Act respecting the health and safety of workers provides that "no ... women of any age shall be employed on night work." These provisions have been modified and defined by the Order No. 2834 of July 1919 respecting the six and eight hour day which provides that "night work shall be exceptionally authorised in the following undertakings: .. (c) in undertakings where work of a continuous character is carried on under the shift system and where the majority of the workers are women. The Ministry of Commerce, Industry and Labour shall grant an authorisation in each particular case. Work undertaken between 5 and 6 a.m. and between 8 and 9 p.m. shall be regarded as night work; it must be clearly understood that the maximum daily duration of work shall not be exceeded in any case." No reference is made to the exception for undertakings in which only members of the same family are employed; but it is provided in § 1 of the Act of 1917 that "home work on which only members of the family are employed shall not be subject to inspection unless it is classed as dangerous or unhealthy work".

*Czechoslovakia.* — The Eight-Hour Day Act of 19 December 1918 prescribes in § 9 (1) that "women shall not be employed on night work". No reference is made to the exception relating to undertakings employing only members of the same family.

*Estonia.* — § 17 of the Employment of Children, Young Persons and Women Act prohibits the night work of women in any of the public or private undertakings enumerated in § 1 (a), (b) and (c) of the Act. No mention is made in the Act of the exception relating to under-

takings in which only members of the same family are employed.

*France.* — § 21 of Book II of the Code of Labour and Social Welfare, as amended by the Act of 24 January 1925, provides that "children under the age of eighteen years, whether workers or apprentices, and women, shall not be employed on night work of any kind in the establishments specified in § 1". Under § 1 undertakings in which only the members of the family are employed under the authority of the father, or of the mother, or of the guardian, are excepted.

*Great Britain.* — The Employment of Women, Young Persons, and Children Act, 1920, embodies the provisions of the Convention.

*Greece.* — The Act No 2275 of 1 July 1920 includes the text of the Convention.

*India.* — The Factories Act prescribes in § 24 (a) that "no woman shall be employed in any factory before half-past five o'clock in the morning or after seven o'clock in the evening". The application of the Convention is limited, in accordance with Article 5, to factories as defined in the Factories Act.

*Irish Free State.* — The Employment of Women, Young Persons, and Children Act, 1920, embodies the provisions of the Convention.

*Italy.* — § 2 of the Legislative Decree of 15 March 1923 amends § 5 of the Act of 10 November 1907 to read. "Women, irrespective of their age, shall not be employed at night in factories or workplaces or in annexes thereof." In § 1 it is specified that factories and workshops in which only members of the same family are employed are to be excepted.

*Netherlands.* — The Labour Act as amended prohibits in § 24 (2) the work of all workers in factories and workshops between 6 p.m. and 7 a.m., and in § 30 (2) safeguards the night's rest in the case of women who may be employed by way of exception after 5 a.m. and up to 10 p.m. Work done by the head or the manager of an undertaking or his wife is not covered by the Act (§ 1-1).

*Switzerland.* — The Federal Factory Act (§ 65) and the Federal Act of 31 March 1922 relating to the employment of young persons and women in industry (§ 3) prohibit the night work of women. By § 1 of the Act of 31 March 1922, undertakings where only members of one and the same family are employed are not covered.



ARTICLE 4 of the Convention is as follows :

Article 3 shall not apply :

(a) In cases of *force majeure*, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character.

(b) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

*South Africa.* — § 27 (b) of the Factories Act provides for an exception in the case of "breakdown of plant or machinery caused by accident or any other unforeseen emergency, or of overhauling or repair of plant or machinery which cannot be performed on a regular working day". As regards paragraph (b) of the Article it is the custom to allow this exception under § 13 (2 c) of the Factory Act provided that the period between 9 p.m. and 5 a.m. is not encroached upon. This Section gives the Minister power to grant special hours during certain seasons in factories when the supply of raw material is intermittent or subject to seasonal variation or when raw material is liable to deterioration if untreated. In the fruit preserving and fish canning industries the seasonal rush occurs for several months at the time when the raw material is available, and hours of employment must necessarily be of a very irregular nature. In addition, when the excessive heat during part of the day renders the manufacture or preparation of certain articles impracticable, work is suspended, to be resumed in the evening when working conditions are more favourable.

*Austria.* — As regards paragraph (a) the Act of 14 May 1919 provides that women over eighteen years of age may, subject to notification to the inspectors, be employed on night work for not more than eight days if this is necessary in order to remedy a state of disorganisation in an undertaking which could not have been foreseen and does not recur periodically. An undertaking may avail itself of this exception for not more than twenty-four days during the year. The Act further provides that if important considerations of national economy or the interests of the workers require it the Department of Social Administration may, after hearing the various employers' and workers' organisations, grant exemptions from the provisions of the Act, specifying wherever necessary the conditions which are to be observed in the employment of women on night work. The Act of 28 July 1919 provides in § 14 that the Ministry of Commerce, Industry and Public Works may in the public interest authorise exemptions from the provisions of the Act after hearing the mine-owners and with the consent of the miners' trade unions. The exception allowed by paragraph (b) is provided for

in § 3 of the Act of 14 May 1919 which prescribes that women over eighteen years of age may, after notification to the inspectors, be employed during the night for eight days at the most if this is necessary in order to prevent an otherwise unavoidable loss of material.

*Belgium.* — § 14 of the Act of 1919, as amended by § 31 of the Eight-Hour Day Act, provides that, in cases of *force majeure*, "the Governors (of Provinces) may, on the report of the competent labour inspector, for all industries and trades and for a specified period, grant the authorisation to employ boys and girls over the age of sixteen years and women after 10 p.m. and before 5 a.m." This authorisation may not, however, be granted for more than sixty days in any one year and the night rest period may not be reduced to less than ten hours. Under § 12 of the Act of 1919, as amended by § 31 of the Eight-Hour Day Act, the King may decree exceptions, as regards girls and women over eighteen years of age, in industries concerned with raw materials or materials in course of treatment which are subject to rapid deterioration and the loss of which would otherwise seem to be unavoidable.

*Bulgaria.* — § 18 of the Health and Safety of Workers Act provides that "night work may be permitted in undertakings and processes where this is necessitated by *force majeure* or unforeseen circumstances." No special provision is made for exceptions in the case of work which has to do with perishable materials.

*Czechoslovakia.* — The Eight-Hour Day Act contains no provisions relating to cases of *force majeure*. It may be noted that under § 9 (3) of the Act the Minister for Social Welfare may, in specified groups of undertakings, permit women over eighteen years of age to work during the night if it is necessary for the uninterrupted progress of the undertakings or out of special consideration for public interests, and if the work of the women consists of operations demanding comparatively little exertion. No such permission has, however, been granted by the Order of 11 January 1919 in the case of undertakings covered by the Convention. As regards perishable materials, § 9 (2) of the Act states that the Minister for Social Welfare shall designate the groups of undertakings and industries in which the night work of women over eighteen years may be allowed as an exception for a short period in the preparation of raw materials and substances liable to rapid deterioration. The Order of 11 January 1919 grants this permission in the manufacture of jam and fruit pulp, and the drying of vegetables and fruit.



*Estonia.* — § 19 (a) of the Employment of Children, Young Persons and Women Act provides that the provisions of § 17 shall not apply in cases of accident or *force majeure* which are not of a periodical character, and which interfere with the normal working of the undertaking. § 19 (b) of the Act reproduces the terms of Article 4 (b) of the Convention.

*France.* — It is provided in § 25 of Book II of the Code of Labour and Social Welfare, as amended by the Act of 24 January 1925, that the head of an undertaking in any industry may employ women at night in case of an interruption of work due to an accidental cause or to *force majeure* which is not of a periodically recurring character", under the conditions laid down by public administrative regulations, and within the limit of the number of days lost, provided that the inspector is notified in advance. This right may not be exercised on more than fifteen nights in the year without the permission of the inspector. According to § 24, "in certain industries to be specified by public administrative regulations, in which the raw materials handled or the materials being worked up are liable to very rapid deterioration, temporary exceptions... shall be permitted in respect of adult women where this is necessary in order to save the materials from certain loss, under the conditions laid down in the above-mentioned public administrative regulations, provided merely that notice is given in advance." Regulations are at present being prepared which will amend, in accordance with the amendments made to the above-mentioned sections of the Code, the Decree of 30 June 1913 which specified the exceptions permitted under this part of the Code.

*Great Britain.* — The Employment of Women, Young Persons, and Children Act, 1920, reproduces the provisions of the Convention.

*Greece.* — The Act No 2275 of 1 July 1920 includes the text of the Convention.

*India.* — § 56 of the Factories Act states that "in case of any public emergency, the Local Government may, by an order in writing, exempt any factory from this Act to such an extent and during such period as it thinks fit". No general provisions exist permitting exceptions from the prohibition of the employment of women during the night in the case of work on perishable materials. By an Act of 25 March 1926 (No. XXVI of 1926)<sup>1</sup> amending the Factories Act, however, powers have been given to local Governments,

subject to the control of the Governor, General in Council, to exempt on such conditions, if any, as they may impose— "any fish-curing or fish-canning factory, from the provisions of clause (a) of Section 24 where the employment of women outside the limits provided by that clause is necessary to prevent any damage to or deterioration of any raw material" (§ 32 A of the amended Factories Act.)

*Irish Free State.* — The Employment of Women, Young Persons, and Children Act, 1920, embodies the provisions of the Convention.

*Italy.* — The Legislative Decree of 15 March 1923 incorporated the provisions of this Article in § 5 of the Act of 10 November 1907.

*Netherlands.* — The amended Labour Act 1919 as promulgated by the Decree of 21 July 1922 permits no exceptions to the prohibition of night work except as provided in § 25 (1)-(b) which prescribes that women of twenty-one years of age and upwards may be permitted to skewer herrings during the period from 1 October to 15 March till 12 midnight at latest, and during the period from 15 March to 1 June till 2 a.m. at latest.

*Switzerland.* — The Federal Factory Act (§ 66) empowers the Federal Council to permit the reduction of the night rest period from eleven to ten hours on not more than 60 days in the year "for factories in which either raw materials, or goods in the process of manufacture, which are liable to very rapid deterioration, are handled, and in the event of such extension being found indispensable to prevent the otherwise unavoidable loss of such materials." The Act of 31 March 1922, which applies to industrial undertakings not covered by the Factory Act, provides in § 4 for the suspension of the prohibition of night work for women over eighteen years of age in the event of an interruption of work due to *force majeure* which could not be foreseen and does not recur periodically, and in cases of the working up of raw materials or the manipulation of substances which are liable to very rapid deterioration when necessary to prevent the otherwise inevitable loss of such materials. § 6 of the Administrative Order of 15 June 1923 provides that such suspensions, if for less than ten nights, may be granted by the district authority, or in default by the local authority, or, if for more than ten nights, by the Cantonal Government. By § 6 of the Act the Federal Council may authorise further exceptions which are required in the public interest or provided for by international conventions.

<sup>1</sup> L.S. 1926, Ind. 2.

ARTICLE 5 of the Convention is as follows :

In India and Siam, the application of Article 3 of this Convention may be suspended by the Government in respect to any industrial undertaking, except factories as defined by the national law. Notice of every such suspension shall be filed with the International Labour Office.

*India.* — The Government of India has notified the Office that in the application of this Convention to India the term "industrial undertaking" includes only factories as defined in the Factories Act<sup>1</sup>.

ARTICLE 6 of the Convention is as follows :

In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

*South Africa.* — The Factories Act contains no provisions exactly equivalent to this Article. Under § 17 (2), however, inspectors may grant permission for overtime to be worked by females provided that it is not for more than three hours in any one day, three consecutive days in any one week, or sixty days in any one year.

*Austria.* — There are no equivalent provisions in Austrian legislation.

*Belgium.* — The amended § 13 of the Act of 1919 provides that the night rest period of girls and women over eighteen years of age may be reduced to ten hours on sixty days in the year in such seasonal industries as may be specified by Royal Order. § 14 prescribes that "in specially grave cases and when public interest so requires" the Governors may, on the report of the competent labour inspector, for all industries and trades and for a specified period, grant authorisation to employ girls over sixteen years of age and women after 10 p.m. and before 5 a.m., provided that such authorisation be not granted for more than sixty days in any one year or the night rest period reduced to less than ten hours.

*Bulgaria.* — No equivalent provisions.

*Czechoslovakia.* — There are no equivalent provisions in Czechoslovak legislation.

*Estonia.* — § 20 of the Employment of Children, Young Persons and Women Act reproduces the terms of Article 6 of the Convention.

*France.* — No equivalent provisions are contained in the Code of Labour and Social Welfare.

*Great Britain.* — The Employment of Women, Young Persons, and Children Act, 1920, reproduces the text of Article 6.

*Greece.* — The Act No. 2275 of 1 July 1920 includes the text of the Convention.

*India.* — No equivalent provisions.

*Irish Free State.* — The Employment of Women, Young Persons, and Children Act, 1920, reproduces the terms of this Article.

*Italy.* — The Legislative Decree of 15 March 1923 embodied this Article in § 5 of the Act of 10 November 1907.

*Netherlands.* — No equivalent provisions.

*Switzerland.* — § 66 of the Factory Act provides that in the case of women authorisations to work overtime may involve a reduction of the period of rest from eleven to ten hours on 60 days per annum. § 5 of the Act of 31 March 1922 permits the exceptional employment of women over eighteen years of age in accordance with the provisions of this Article; in accordance with § 7 of the Administrative Order of 15 June 1923 the authority to issue the permit lies with the Cantonal Government.

ARTICLE 7 of the Convention is as follows :

In countries where the climate renders work by day particularly trying to the health, the night period may be shorter than prescribed in the above articles, provided that compensatory rest is accorded during the day.

*South Africa.* — In certain cases where the excessive heat during part of the day renders the manufacture or preparation of certain articles impracticable, work is suspended during the hottest part of the day and women may be employed until 9 p.m. These cases do not, however, come strictly under the operation of this Article, and the Government reports that no advantage has been taken of its provisions.

*Austria.* — The question of application does not arise.

*Belgium.* — The Article has not been applied.

*Bulgaria.* — Climate places no obstacles in the way of complete application of the Convention.

*Czechoslovakia.* — No application.

*France.* — The report states that this Article would only be applicable to the French colonies, to which, however, the Convention is not applied.

*Estonia.* — No application.

<sup>1</sup> See under *Hours Convention*, ARTICLE 10, for definition of "factory".



*Great Britain.* — No such arrangement is necessary.

*Greece.* — No application.

*India.* — The Article has not been applied.

*Irish Free State.* — No application.

*Italy.* — Under § 2 of the Legislative Decree No. 748, the Minister of National Economy may make variations in the period of night work by reducing the said period to ten hours in localities where climatic conditions require it, provided compensatory rest is accorded during the day. No such variation has, however, yet been granted.

*Netherlands.* — No use has been made of this Article, nor does the Government propose to apply it.

*Switzerland.* — No application.

### III. *Enforcement of legislation.*

*South Africa.* — The administration of the Factories Act, the Industrial Conciliation Act and the Wage Act is vested in the Minister of Labour. A special Division of the Labour Department, which is under the Chief Inspector of factories and includes all Inspectors of Factories, is entrusted with the application of the Factories Act. The other two Acts are administered through the Divisional and Industrial Inspectors of the Department of Labour. The Governor-General appoints inspectors of factories and assigns areas of inspection to each, but any public official and members of municipal councils may, by order of the competent authorities, be called upon to exercise the functions of inspectors. Inspectors have the right of entry at any reasonable hour; the right to demand the carrying into effect of the Factories Act, appeals against which may be made within 14 days to the Chief Inspector, whose decision, however, may be reversed by the Minister; and the right to allow the exceptions specified by the Act. Contraventions of or offences against the Act are liable to result in legal proceedings. Offences against the section dealing with the employment of women during the night are punishable by a fine not exceeding £10; and, if the offence is a continuing one, by a further fine not exceeding £5 for each day on which the offence is continued after the first day. The enforcement of agreements under the Industrial Conciliation Act rests in the first instance with the Secretaries of Industrial Councils, whose function it is to report breaches of agreements to the

Inspectors of Labour appointed by the Department of Labour in the different areas throughout the Union. It is the duty of these Inspectors, upon ascertaining that an agreement has been *prima facie* infringed, to institute proceedings in court by way of a criminal action under the Act. The penalties laid down in the Act for breaches of agreements are a fine not exceeding £ 20 on conviction with a further fine not exceeding £5 per day for every day on which default continues after conviction. The machinery for the enforcement of determinations made under the Wage Act is provided by the Labour Inspectorate of the Department of Labour whose duty it is, by frequent inspections or by the hearing of complaints from employees, to ensure the due observance of the terms of the Wage Act determinations. The Act provides for the imposition of a fine not exceeding £100 in the event of a conviction for a contravention of the provisions of a determination under it.

*Austria.* — The supervision of the application of the provisions of the Act of 14 May 1919 is entrusted to the central factory inspectorate and to the inspection authorities subordinate thereto. The supervision of the application of the Act of 28 July 1919 is entrusted to the mining authorities in accordance with the Act of 21 July 1871 instituting and defining the work of the mining authorities and the Order of 26 January 1923 relating to the suppression of certain mining authorities. In accordance with the Act of 14 July 1921<sup>1</sup> relating to industrial inspection, the factory inspectors are entitled to enter and inspect at all times the rooms and work-places belonging to the undertakings under their supervision. On the request of the inspector the occupier of the undertaking or his representative is bound to accompany the inspector during his visit. As far as possible the factory inspector is instructed to secure that members of the works councils or workers' representatives shall accompany him during his visits of inspection. Should the inspector find that measures are required for the protection of the life, health or morals of the workers in any establishment he may, in cases of emergency within the competence of the political authorities of first instance, himself issue the necessary orders; otherwise he requests the competent authority to issue the appropriate orders. Appeals by the employers against the orders of the factory inspector have no suspensory effect. If the factory inspector ascertains the existence of a contravention of any legal provision within his competence he issues instructions for the conditions to be brought into conformity with the law without delay and in default of compliance notifies the competent autho-

<sup>1</sup> L.S., 1921, Aus. 4-5.



rities and is entitled to recommend what penalties should be enforced. Subsequent action against employers for breaches of the laws providing for the protection of the worker are within the competence of the political authorities. Breaches of the Act of 14 May 1919 are punishable by the penalties laid down in the Industrial Code. The Act of 28 July 1919 provides for penalties not exceeding 10,000 kr.

*Belgium.* — The labour inspection services and the mining engineers are entrusted with the supervision of the relevant laws and regulations in the undertakings within their jurisdiction. Under § 19 of the Act of 1919 the competent officials have unhampered access to the undertakings within their jurisdiction; they may require to see all books and registers kept in pursuance of the Act, and heads of undertakings, employers, managers, foremen and workers must furnish them with all information they may require in order to ascertain whether the Act is being carried out. The official reports of the inspectors on contraventions are valid unless proof is given to the contrary. §§ 20 and 21 provide for fines for contraventions varying from 26 to 200 francs or imprisonment for periods varying from eight days to one month; such fines are payable in respect of each person unlawfully employed provided that the total amount does not exceed 2000 francs. These penalties are doubled in the case of repetition of an offence within a period of five years.

*Bulgaria.* — The application of the Health and Safety of Workers' Act is entrusted to the factory inspectors under the control of the Ministry of Commerce, Industry and Labour, assisted by the Superior Labour Council. A factory inspection service is attached to each of the twelve prefectures and the staff is appointed in accordance with the number of workers in each area. Under § 27 of the Act of 1917 inspectors possess the right of entry into all undertakings subject to the Act as well as that of questioning the workers. The reports made by inspectors upon cases of contraventions are received as evidence and are considered to establish the facts stated therein in default of proof to the contrary. Fines not exceeding 250 levas for each woman employed in contravention of the Act may be imposed. These fines may not exceed 10,000 levas for the first offence, or 20,000 levas for subsequent offences.

*Czechoslovakia.* — See the analysis of the report on the *Hours Convention*. The 1926 report adds that the reports of the labour inspectors show that the law relating to the night work of women is generally observed. Contraventions are rarely reported, but when that occurs

the competent authorities take due proceedings.

*Estonia.* — § 22 of the Employment of Children, Young Persons and Women Act provides that the labour inspectorate is responsible for the supervision of the Act, the drawing up of reports in the event of contraventions thereof, the submission of these reports to the competent law courts and the undertaking of the prosecution of persons guilty of contraventions. Fines not exceeding 10,000 marks or imprisonment not exceeding one month may be imposed. Administrative regulations and other Orders in pursuance of the Act are to be issued by the Minister of Labour and Social Welfare in agreement with the other Ministers concerned (§ 24).

*France.* — The supervision of the application of the relevant legislation falls to the industrial inspection service, which is under the authority of the Minister of Labour, Health, Assistance and Social Welfare. The men and women inspectors belonging to this service have the right of entry into all undertakings covered by the provisions, the application of which it is their duty to ensure, for the purpose of carrying out the inspection or the investigations with which they are entrusted. The reports drawn up by the inspectors in regard to contraventions are considered to establish the facts stated therein in default of proof to the contrary. As regards State undertakings where the entry of persons not belonging to the service concerned is not deemed expedient in the interest of the national defence, the supervision of the application of the above-mentioned legislation is entrusted to persons appointed for the purpose by the Ministers of War and of the Marine. These undertakings are enumerated in the Decrees of 10 April 1925 and 28 June 1904. In regard to mines (underground and open workings) and quarries, the duties of the industrial inspectors are performed by the engineers and controllers of mines who are placed for this purpose under the authority of the Minister of Labour. In the same way, in undertakings under the technical supervision of the Minister of Public Works, the duties of the industrial inspectors are entrusted to the officials responsible for this supervision, who for this purpose are placed under the authority of the Minister of Labour, except as regards national railway undertakings and local railways. Finally, the Superior Labour Commission, set up by § 112 of Book II of the Code of Labour and Social Welfare, is entrusted with the duty of securing the strict and uniform application of the provisions relating to the employment of women and children; similar duties fall to the departmental labour commissions set up by § 115 of Book II of the Code.



*Great Britain.* — As regards factories and workshops and the constructional work referred to in Article 1 (c) of the Convention, the provisions are administered by the Home Office (Factory Department), and so far as concerns mines and quarries by the Board of Trade (Mines Department). § 1 (6) of the Employment of Women, Young Persons and Children Act provides that so far as its provisions relate to employment in factories and workshops the section has effect as if it formed part of the Factory and Workshop Acts, 1901 to 1911. § 118 of the Factory and Workshop Act, 1901, authorises the appointment by the Secretary of State of a chief factory inspector and of such inspectors as the Secretary of State may consider necessary for the execution of the Act. Assistance in the execution of the Act is also provided by local authorities. § 1 (6) of the Employment of Women, Young Persons and Children Act provides that the section so far as it relates to employment in coal mines, metalliferous mines and quarries, has effect as if it formed part of the Coal Mines Act, 1911, and the Act amending that Act and the Metalliferous Mines Regulation Acts, 1872 and 1875. Provision is made in these Acts for the appointment of inspectors and for the definition of their powers in terms similar to those used in the Factory Act. Under §§ 119 to 125 of the Factory and Workshop Act, 1901, the responsible officials, whether officers of the central or of the local authority, enjoy the right of entry at all times to all parts of the factory premises when they have reason to believe that any person is employed therein, and by day to any place which they have reason to believe is a factory or workshop. The inspector is entitled generally to exercise such powers as may be necessary for carrying the Act into effect, and for this purpose he may indicate what are the measures necessary. If the occupier fails to comply, or in the event of a clear breach of the law, the inspector may, subject to the authorisation of his superior officers, prosecute before a court of summary jurisdiction. The inspectors appointed under the Factory and Workshop Acts possess the same powers in relation to places other than those covered by the Factories and Mines Acts as if they were factories and workshops, and can supervise the employment of women in such places. Obstruction of a factory inspector in the execution of his duty is punishable by fine which may be imposed both on the person obstructing the inspector and on the occupier. The employment of any person in contravention of the provisions of the Act renders the offender liable to a fine for each person so employed. There are additional penalties for convictions subsequent to the first.

*Greece.* — See the analysis of the report on the *Convention concerning the employment of women before and after childbirth.*

*India.* — See the analysis of the report on the *Hours Convention.*

*Irish Free State.* — The Government reports that the Department of Industry and Commerce is the authority to which the application of the legislation is entrusted. Inspectors of factories and workshops, who are attached to the Industries Branch of the Department, enforce the provisions in manufacturing industries and in constructional work, and inspectors invested with powers under the Acts relating to mines and quarries, who are also attached to the Industries Branch, enforce the provisions in mines and quarries.

*Italy.* — The supervision of labour legislation is entrusted partly to an inspectorate of industry and labour under the control of the Ministry of National Economy (Decree No. 748), and partly to labour inspectors, mines engineers and the officers of the judicial police. The inspectors have the right of entry at all times to undertakings subject to their supervision; the right to issue orders for the enforcement of the relevant laws and regulations, the employer being obliged to comply with them subject to appeal; the right to collect and forward to the Minister the information collected and the right to prosecute an employer for contravention of the law after forwarding a report to the judicial authorities. The police and other authorities co-operate with the local factory inspectors who may request the police to undertake special inspection visits upon the results of which a report must be made to the competent inspectorate. Infractions of the law are punished by penalties not exceeding 50 lire for each person employed in contravention of the law up to a maximum of 5,000 lire.

*Netherlands.* — Under the Labour Act of 1919 (§§ 68-84) the supervision and application of the Act is entrusted to a factory inspectorate under the control of the Ministry of Labour, Commerce and Industry, consisting of a Central Office, decentralised industrial medical officers and district and port services of inspectors. The Mining Regulations of 1906 (§§ 255 to 272), and the Act of 27 April 1904 provide for the administration and application of the provisions concerning the mining industry. The mining inspection service and the labour inspectors are responsible for their supervision. The factory inspectors have the right to visit undertakings subject to their inspection without previously informing the employer; the right to issue regulations which have the force of law unless contested within 14 days; the right to authorise exemptions as provided in the law, and the right to prosecute for any contraventions. The co-operation of the public safety force and the police may be requested especially



in connection with the provisions on hours of work. Penalties up to a maximum of two months' imprisonment or 200 gulden, and a separate penalty for each person illegally employed may be imposed. The powers and procedure of the mining inspectorate are similar to those of the factory inspectorate. The maximum penalties are six months' imprisonment or 300 gulden.

*Switzerland.* — The application of the Factory and Employment of Young Persons and Women Acts is enforced by: (1) Administrative Order of 3 October 1919<sup>1</sup>, under the Factory Act; (2) Administrative Order of 15 June 1923<sup>2</sup>, under the Employment of Young Persons and Women Act. The application is within the jurisdiction of the Cantons and supervision is exercised by the Confederation through the Federal Department of Public Economy and especially through the Industries and Arts and Crafts Division of this Department. Under the Factory Act and the Order in application thereof, the Confederation has set up, for the purpose of supervision, a Federal Factory Inspection Service for the whole of Switzerland, which is divided into four divisions. In addition, there is a Federal Factory Commission appointed especially to give opinions on questions which the Federal Council may regulate by orders or decisions of a general nature. By § 87 of the Factory Act the responsible officials enjoy the right of entry to all parts of the factory premises at all times while work is in progress and to all out-buildings of such undertakings at all times. They are not required to give notice of their intended visits. Factory inspectors have not the right to issue decisions. They may require the occupier to take such steps as during the inspection are seen to be necessary, and should these requirements be important, they notify them to the occupier in writing, fixing the time limit within which action must be taken. Should the occupier refuse to fulfil the requirements of the factory inspector, the latter may propose to the Cantonal Government the steps to be taken and in return the Cantonal Government informs the factory inspectorate of its decision and in appropriate cases of the action taken by the occupier. Similarly, if the factory inspector considers it advisable to have penal proceedings instituted, he submits this proposal to the Cantonal Government. Should appeals be made against any decisions relating to the imposition of a penalty issued by the Cantonal, judicial or administrative authorities, the factory inspector sends proposals to the Federal Department of National Economy. It is, furthermore, the duty of the factory inspector to ascertain whether the deci-

sions which come to his knowledge, issued by the competent authorities within the province of the Canton, conflict in any way with Federal regulations and appeal may be made from the subordinate Cantonal authorities to the Cantonal Government and from the Cantonal Government to the Federal Department of National Economy. Infringements of the Factory and Employment of Young Persons and Women Acts, or of orders or instructions issued thereunder, are punishable by fines from 5 francs to 500 fr., which fines may be combined with imprisonment up to three months.

#### IV. *Application to colonies, etc.*

*Belgium.* — The report states: "The Act relating to the employment of women and children, and in particular those provisions concerning the night work of women are not at present applicable to the *Belgian Congo*, in virtue of local conditions; this applies, moreover, to the other laws for the protection of the workers in force in Belgium."

*France.* — The Government reports that the Convention will not be applied to French overseas possessions in consequence of local conditions.

*Great Britain.* — The Government reports that the Convention has been applied in *Ceylon*, and, with modifications, in the *Gold Coast* and *Trinidad*. Its application with modifications is under consideration in *Hong Kong*. In all other British colonies, etc. it is considered inapplicable.

*Italy.* — The application of the Convention has not yet been extended to the colonies.

*Netherlands.* — The Government had already reported that this Convention was considered applicable with modifications in the *Dutch East Indies*. By letter of 11 February 1926 the Minister for the Colonies forwarded to the Office the texts of an Order of the Governor-General of the Dutch East Indies (dated 17 December 1925) concerning child labour and the employment of women during the night, and of a Decision of the Governor-General (dated 28 December 1925) issued in execution of § 3 of the Order in question and laying down rules for the granting of authorisations for the employment of women during the night.

§ 3 of the Order prohibits the employment of women between 8 p.m. and 5 a.m. in (a) factories (defined as enclosed premises or premises considered enclosed in which mechanical installation is used for or on behalf of an undertaking); (b) workshops (defined as enclosed premises in which at least 10 persons are habitually employed for or on behalf of an

<sup>1</sup> L.S., 1919, Switz. 4.

<sup>2</sup> L.S., 1923, Switz. 1.



undertaking); (c) construction, maintenance, repair or demolition of earth-works, excavation, hydraulic work, building work and roads; (d) railway and tramway undertakings; (e) loading, unloading and transport of goods at docks, wharves, harbours, stations, halts, piers and warehouses, excluding transport by hand. §§ 4, 5 and 6 of the Order contain provisions making the proprietors or managers or their representatives responsible for the observance of the provisions of the Order. § 7 lays down that breaches of the Order are punishable by imprisonment for a maximum period of one month or a fine for a maximum amount of 100 florins. These penalties may be doubled in case of repetition of the offence. §§ 8 and 9 of the Order lay down the inspector's powers for supervising the execution of the provisions.

The Decision taken by the Governor-General in execution of § 3 of the Order permits the employment of women between 10 p.m. and 5 a.m. in (a) sugar works during the period of crushing; (b) fibre factories; (c) cassava meal works; (d) oil works (ordinary oil and palm oil) and (e) in the salt works at Krampon and Kalianget (Madura). § 2 of the Decision provides that employers desirous of employing women during the night are required, in the case of sugar works after the period of crushing, in the case of other works at the end of each quarter, to forward to the Chief of the Labour Office statistical information on the hours worked and the wages paid. The premises must be satisfactorily lighted during the period for which night work has been permitted. Women in an advanced state of pregnancy are not allowed to be employed on night work. Where women are employed at night in the sugar works the local authorities and the Chief of the Labour Office must be informed of the beginning and end of the period of crushing. By § 3 the Governor-General may prohibit the employment of women during the night in any workshop or undertaking which does not appear to fulfil the conditions required in § 2. § 4 provides that the Chief of the Labour Office may authorise for fixed periods, and subject to conditions laid down by himself, the employment of a certain number of women between 10 p.m. and 5 a.m. in (a) tea factories; (b) coffee factories; (c) tobacco factories; (d) rice decortication works; (e) kapok works; (f) pyrotechnical works; (g) batik works. By § 5 the Chief of the Labour Office may grant to works, factories and undertakings other than those mentioned, permission to employ women during the night in special cases and shall fix the conditions of such employment.

These provisions came into force on 1 March 1926.

The Netherlands Government has further reported that in *Surinam* and *Curaçao*

labour legislation is almost entirely lacking and in the present circumstances is considered inadvisable. The practice of employing women during the night is reported never to have existed in these provinces. These territories therefore would fall under the category of colonies to which the Convention is considered inapplicable even with modifications in accordance with local conditions.

*Other reporting countries.* — The question does not arise in the case of *Austria*, *Bulgaria*, *Czechoslovakia*, *Estonia*, *Greece*, *India*, *Irish Free State*, *South Africa* and *Switzerland*.

#### Convention fixing the minimum age for admission of children to industrial employment.

##### I.

This Convention first came into force on 13 June 1921. Reports in respect of the year ended 31 December 1926 have been received from *Belgium*, *Bulgaria*, *Chile*, *Czechoslovakia*, *Denmark*, *Estonia*, *Great Britain*, *Greece*, *Irish Free State*, *Poland*, *Rumania* and *Switzerland*.

The report of the *Greek* Government states that the Convention was put into effect by Act No. 2271 of 1 July 1920. This Act contained the text of the Convention and prescribed in § 3 that the provisions of the Convention should be incorporated by Royal Decree in the existing laws. The report further states that the Ministry of National Economy, by its Circular No. 23 of 16 July 1920 to all competent authorities, explained the purpose of Act No. 2271 and invited these authorities to communicate its contents to the workers' and employers' organisations and to endeavour to explain its provisions to them. (See also the introductory statement to the summary of the reports on the *Hours Convention*.)

As regards *Rumania*, the Government, in reply to the letter of the International Labour Office of 17 December 1926 transmitting the forms for annual reports under Article 408 of the Treaty of Versailles, explained in a communication dated 17 March 1927 that the provisions of this Convention have been taken into consideration in drafting the Bill relating to the employment of minors and women, which is under examination by the Superior Legislative Council and which will be submitted to Parliament in the near future.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408:

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Belgium . . . . .	12.	7.	1924	12.	7.	1924 <sup>1</sup>	22.	1.	1927
Bulgaria . . . . .	14.	2.	1922	22.	2.	1922	19.	3.	1927
Chile . . . . .	15.	9.	1925	15.	9.	1925	3.	5.	1927
Czechoslovakia . . . . .	24.	8.	1921	18.	3.	1922 <sup>2</sup>	28.	2.	1927
Denmark. . . . .	4.	1.	1923	19.	5.	1923	17.	2.	1927
Estonia . . . . .	20.	12.	1922	6.	6.	1924	7.	2.	1927
Great Britain . . . . .	14.	7.	1921	14.	7.	1921 <sup>3</sup>	11.	2.	1927
Greece . . . . .	19.	11.	1920	13.	6.	1921 <sup>4</sup>	26.	2.	1927
Irish Free State. . . . .	4.	9.	1925	4.	9.	1925	7.	3.	1927
Poland. . . . .	21.	6.	1924	21.	6.	1924 <sup>5</sup>	18.	3.	1927
Rumania . . . . .	13.	6.	1921	— <sup>6</sup>			21.	3.	1927
Switzerland . . . . .	9.	10.	1922	10.	10.	1922 <sup>7</sup>	10.	2.	1927
				1.	10.	1923 <sup>8</sup>			

<sup>1</sup> The amendments to the Act relating to the employment of women and children of 28 February 1919, made by § 31 of the Eight Hour Day Act of 14 June 1921, came into force on 1 July 1922.

<sup>2</sup> The provisions of the Convention have been applied since 1919, when the Eight Hour Day Act came into force.

<sup>3</sup> The provisions of the Convention were given effect from 1 January 1921.

<sup>4</sup> See introductory statement. The report states however that the application of the provisions of the Convention came into effect on 10 July 1920.

<sup>5</sup> The report states that the provisions of the Convention came into force on 23 January 1924.

<sup>6</sup> See introductory statement above.

<sup>7</sup> Generally.

<sup>8</sup> As regards small undertakings and transport.

II. Legislation.

ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term “industrial undertaking” includes particularly :

(a) Mines, quarries, and other works for the extraction of minerals from the earth.

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed ; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind.

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, water-work, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

(d) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

*Belgium.* — § 1 of the Act relating to the employment of women and children of 28 February 1919 <sup>1</sup>, as amended by § 31 of the Eight-Hour Day Act of 14 June 1921 <sup>2</sup>, defines the field of application as : (1) undertakings covered by the Eight-

Hour Day Act ; (2) establishments classified as dangerous, unhealthy and noxious ; (3) transport by water. The undertakings covered by the Eight-Hour Day Act are given in § 1 of this Act as follows : (1) mines, surface mines, quarries and other works for the extraction of minerals from the earth ; (2) industries in which goods are manufactured, raw materials or manufactured articles transformed, ornamented, finished, cleaned, or adapted for sale ; (3) repair, cleaning, restoration of materials, effects or other used goods, as well as demolition of materials ; (4) building and auxiliary industries, including maintenance, repair and demolition ; (5) public works ; (6) private works executed by civil engineers (*génie civil*), other than those proper to the building industry ; (7) gas and waterworks ; (8) generation, transformation and transmission of electricity and motive power ; (9) construction, transformation and demolition of ships and boats, their maintenance or repair by workers other than the crews ; (10) transport by land ; (11) loading, unloading and handling of goods at ports, quays, warehouses and stations ; (12) dairies and cheese-factories ; (13) offices of commercial undertakings. The Government states that “ the Act relating to the employment of women and children does not apply to agriculture. It applies to commercial establishments when and to the same extent as the Eight-Hour Day Act, in accordance with § 1, is extended by Royal Order to cover, these under-

<sup>1</sup> L.S., 1919, Bel. 2.

<sup>2</sup> L.S., 1921, Bel. 1.



takings. No useful purpose would be served by establishing a line of demarcation between industry and commerce in this case and, consequently, it has not been done."

*Bulgaria.* — The Act of 1917 respecting the health and safety of workers<sup>1</sup>, § 13 of which regulates the age of admission to employment, applies to "all industrial undertakings, workshops, commercial undertakings, building undertakings and transport undertakings" (§ 1 (1)). The Government states that in practice only children employed in agriculture, and particularly in work in the fields, are excluded, and these nevertheless are covered by the Elementary Education Act, which makes school attendance compulsory up to fourteen years of age.

*Chile.* — The Act of 8 September 1924<sup>2</sup> relating to contracts of employment, under which the Convention is applied, does not define the industrial undertakings to which it applies, but provides in § 1 that the Act shall not apply to "agricultural or domestic work, nor to work performed in commercial businesses or establishments or in industrial establishments which employ less than ten workers." The report states that it has not been necessary further to define the line of division which separates industry from commerce and agriculture.

*Czechoslovakia.* — The Eight-Hour Day Act of 19 December 1918,<sup>3</sup> § 10 of which deals with the age of admission to employment, applies generally to industries, to commerce, and, save for a few exceptions, to agriculture. The Act of 17 July 1919<sup>4</sup> regulates the employment of children under fourteen years of age in so far as such employment is not prohibited by other Acts.

*Denmark.* — As regards the minimum age for admission to employment the Act of 18 April 1925<sup>5</sup> covers undertakings carried on for gain exclusive of those in agriculture and forestry (including horticulture), seafaring and fishing (§ 1). By § 13 the Act also provides that in the case of undertakings carried on for purposes of gain which are exempt from the provisions of the Act regulations may be made for each commune on the recommendation of the communal authority in the form of bye-laws approved by the Minister of Health and Social Welfare, after report from the Labour Council, to "prohibit or restrict the employment of children who have not attained the age of fourteen years and are not legally exempt from school attendance . . . provided that

the said regulations shall be kept within the limits" laid down in the Act. The provisions of the Act do not apply to persons merely engaged in going on errands unless provision is made to the contrary in the communal bye-laws under § 13 (§ 12). The Government reports that no special decisions have been taken with regard to the line of division between the undertakings covered and those excluded, since the existing provisions are considered sufficiently definite. In case of doubt, the Minister of Health and Social Welfare would decide whether an undertaking is covered by the Act. § 3 of the Act states that before taking his decision he shall consult the Minister of Industry, Commerce and Navigation and the organisations in the trade concerned in appropriate cases.

*Estonia.* — § 1 (a) to (d) of the Employment of Children, Young Persons and Women Act of 20 May 1924<sup>1</sup> reproduces the terms of Article 1 (a) to (d) of the Convention, with the addition that among the works for the extraction of minerals from the earth are specifically included peat digging undertakings. Further, the clause of the Convention excluding transport by hand is not included in the Estonian Act. No decisions have been taken with regard to the line of division which separates industry from commerce and agriculture. Existing provisions are considered sufficiently definite, but should doubts arise in specific cases they would be settled by the Minister of Labour and Social Welfare.

*Great Britain.* — § 4 of the Employment of Women, Young Persons and Children Act, 1920, reads: "The expression 'industrial undertaking' has with respect to the employment of children, young persons and women the meaning respectively assigned thereto in the Conventions set out in Parts I, II and III of the Schedule to this Act."<sup>2</sup> No decisions regarding the line of division which separates industry from commerce and agriculture have been given by the competent authority, which in Great Britain would be the Courts of Law.

*Greece.* — The Act No. 2271 of 1 July 1920 contains the text of the Convention. The line of division which separates industry from commerce and agriculture has not yet been fixed. The report for 1926, however, states that the Labour and Social Welfare Department has been instructed to prepare as soon as possible a Bill fixing the line of division which separates industry from commerce and agriculture. Meanwhile, the provisions of the Act of 1912<sup>3</sup> relating to the work of

<sup>1</sup> B.B., Vol. XIII, 1918, p. 28.

<sup>2</sup> L. S., 1924, Chile 2.

<sup>3</sup> L.S., 1919, Cz. 1-3.

<sup>4</sup> L.S., 1920, Cz. 2.

<sup>5</sup> L.S., 1925, Den. 1.

<sup>1</sup> L.S., 1924, Est. 1.

<sup>2</sup> L.S., 1920, G. B. 9.

<sup>3</sup> B.B., Vol. VII, 1912, pp. 285-290.



women and minors remain in force, and the prohibition of the employment of minors is also applied to commercial undertakings and shops of all kinds.

*Irish Free State.* — § 4 of the Employment of Women, Young Persons and Children Act, 1920, reads: "The expression 'industrial undertaking' has with respect to the employment of children, young persons and women the meanings respectively assigned thereto in the Conventions set out in Parts I, II and III of the Schedule to this Act"<sup>1</sup>. No decisions regarding the line of division which separates industry from commerce and agriculture have been taken.

*Poland.* — § 1 of the Act relating to the employment of women and young persons of 2 July 1924<sup>2</sup> prescribes that the general provisions of the Act of 18 December 1919 relating to hours of work in industry and commerce<sup>3</sup>, as supplemented by the provisions of the new Act, are to apply to "the employment of women and young persons in industrial, mining and metallurgical undertakings, in commerce, in offices, in communication services and transport, and likewise in other undertakings carried on by way of trade even if not for a profit, irrespective of whether the said undertakings are owned by the State, a private person or a local authority." The legislation in force thus applies to commercial establishments as well as to industrial undertakings and transport. The Government has reported that the line of division which separates industry from agriculture (although this question has so far given rise to no practical difficulties) is determined in: (a) Former Russian Poland, by §§ 1 and 2 of the Russian Industrial Code and the Commentary of the Central Factories and Mines Office which provide that agricultural and forestry undertakings using machinery and carried on by industrial methods (e.g., distilleries, saw-mills, flour mills, sugar works, etc.) shall be considered industrial undertakings; (b) Former Austrian Poland, by the *Kaiserliches Patent* of 20 December 1859 which provides that agricultural and forestry undertakings and undertakings subsidiary thereto shall not be treated as industrial undertakings if their primary purpose is the treatment of their own materials; and (c) Former Prussian Poland, by § 1 of the German *Gewerbeordnung* which provides that agricultural and forestry undertakings and undertakings subsidiary thereto shall not be treated as industrial undertakings if their primary or exclusive economic basis is agriculture and if they are carried on at the expense of the proprietor with products cultivated by himself.

*Switzerland.* — The Federal Factory Act<sup>1</sup> covers industrial undertakings which employ several workers away from their homes and the Federal Act of 31 March 1922<sup>2</sup> relating to the employment of young persons and women in industry applies to all public and private industrial undertakings to which the Factory Act does not apply and to transport. By § 3 of the Administrative Order of 15 June 1923<sup>3</sup>, issued under this Act, the term "industrial undertaking" is defined as in Article 1 (a), (b) and (c), whilst the Order of 5 July 1923 relating to the employment of young persons in transport undertakings<sup>4</sup> applies to the Swiss Federal railways, railways and navigation undertakings carried on under a concession from the Federation, sleeping and restaurant car undertakings. The term "railways" includes motor car undertakings, railless traction undertakings, lift and overhead cables railways worked under a concession. With regard to the line of division which separates industry from commerce and agriculture, the agricultural operations which are excluded from the application of the Federal Act relating to the employment of young persons and women in industry are defined by § 4 of the Administrative Order of 15 June 1923. In the case of commerce, the Act and Order exclude it from their field of application without further definition. Should doubt arise regarding the agricultural or commercial character of a particular undertaking, the decision lies with the Industries and Arts and Crafts Division of the Department of Public Economy, subject to appeal to the Federal Council.

#### ARTICLE 2 of the Convention is as follows

Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

*Belgium.* — § 3 of the Act relating to the employment of women and children, as amended by § 31 of the Eight-Hour Day Act, provides that "children under the age of fourteen years shall not be employed. This provision shall apply also to work performed at home on account of an employer." Work carried on in undertakings in which only members of the family are employed under the supervision of the father, mother, or guardian is exempted, provided that such work is not classed as dangerous, unhealthy, or noxious, or that no steam boilers or mechanical power are used.

<sup>1</sup> B.B., Vol. IX, 1914, p. 269 and L.S. 1919, Switz. 3.

<sup>2</sup> L.S., 1922, Switz. 2.

<sup>3</sup> L.S., 1923, Switz. 1.

<sup>4</sup> L.S., 1923, Switz. 1.

<sup>1</sup> L.S., 1920, G. B. 9.

<sup>2</sup> L.S., 1924, Pol. 2.

<sup>3</sup> L.S., 1920, Pol. 1.



*Bulgaria.* — By § 2 of the Act of 22 November 1921<sup>1</sup>, § 13 of the Health and Safety of Workers' Act of 1917 has been amended to prohibit the employment of children under the age of fourteen years in any undertaking or establishment covered by § 1 of the Act.

*Chile.* — § 29 of the Act of 8 September 1924 provides that "children under the age of fourteen years, whether boys or girls, shall not be employed on any kind of work, even in the capacity of apprentice. Nevertheless, children under fourteen but over twelve years of age who have completed their compulsory school attendance may be employed on certain kinds of work specified in the regulations." The report states, however, that under the Compulsory Elementary Education Act children must attend school until they reach the age of fourteen years. Undertakings in which only members of the same family are employed under the control of one of them are excluded from the operation of the Act of 8 September 1924.

*Czechoslovakia.* — The prohibition of the employment of children before the completion of their compulsory school attendance and before they have attained fourteen years of age is contained in § 10 of the Eight-Hour Day Act of 19 December 1918. The Act of 17 July 1919, which regulates the conditions in which children may be employed, "without prejudice to more far-reaching limitations in other Acts," defines "child labour" as the employment of children in any work whatever for which remuneration is paid or which is carried on regularly even if it is not specially remunerated. The employment of a person's own children (i.e. the children who live in the household of the person who employs them and are related to him by blood or marriage within the third degree or who are his adopted children or wards) in light work of a short duration in the household, even when carried on regularly, is not held to be child labour.

*Denmark.* — § 1 of the Act of 18 April 1925 prohibits the employment of children until they have attained the age of fourteen years and are legally exempt from school attendance. The Act does not apply to undertakings where only the immediate relatives of the child are employed, unless he is an apprentice.

*Estonia.* — § 2 of the Employment of Children, Young Persons and Women Act provides that children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof. No mention is made in the Act of the exception relating to undertakings where only members of the same family are

employed. Children under the age of fourteen years are not allowed to remain in the workplaces mentioned in § 1.

*Great Britain.* — § 1 (1) of the Employment of Women, Young Persons and Children Act, 1920, prohibits the employment of any child under the age of fourteen years in any industrial undertaking. § 3 (2) lays down that nothing in the Act shall apply to an undertaking in which only members of the same family are employed.

*Greece.* — The Act No. 2271 of 1 July 1920 contains the text of the Convention.

*Irish Free State.* — § 1 (1) of the Employment of Women, Young Persons and Children Act, 1920, prohibits the employment of any child under the age of fourteen years in any industrial undertaking. § 3 (2) lays down that nothing in the Act shall apply to an undertaking in which only members of the same family are employed.

*Poland.* — § 103 of the Constitution of 17 March 1921<sup>1</sup> fixes the minimum age for admission of children to employment for wages at fifteen years and this provision is reproduced in § 5 of the Act of 2 July 1924 relating to the employment of women and young persons. The exception relating to undertakings in which only members of the same family are employed is not expressly provided for.

*Switzerland.* — § 70 of the Federal Factory Act prohibits the employment in factories of children under fourteen years of age, or children above this age who are still subject to compulsory school attendance. In the case of small undertakings, although the existing situation was in accordance with the provisions of the Convention, the prohibition was enacted in the Federal Act of 31 March 1922 relating to the employment of young persons and women in industry, which came into force on 1 October 1923. As regards transport undertakings, the prohibition to employ children under fourteen years of age by way of trade is contained in § 2 of the Order of 5 July 1923. The Act of 31 March 1922 does not apply to undertakings in which only members of the same family are employed.

ARTICLE 3 of the Convention is as follows:

The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

*Belgium.* — § 3 of the Act relating to the employment of women and children, as amended by § 31 of the Eight-Hour Day

<sup>1</sup> O.B., Vol. V, p. 172.

<sup>1</sup> L.S., 1921, Pol. 3.

Act, lays down that the prohibition of the employment of children under the age of fourteen years "shall not apply to technical schools, provided always that the organisation shall have been approved by and that it be under the supervision of the competent public authority."

*Bulgaria.* — No reference is made to this exception in the reports submitted by the Government.

*Chile.* — It is provided in § 1 of the Act of 8 September 1924 that the Act is not to apply to the work of children in vocational schools, provided that such work is approved and supervised by the public authorities.

*Czechoslovakia.* — § 2 of the Act of 17 July 1919 provides that the employment of children exclusively for purposes of instruction or education is not held to be child labour.

*Denmark.* — § 12 of the Act of 18 April 1925 excludes from the Act work done by children and young persons in technical or trade schools or apprentice workshops, provided that the said work is approved and supervised by a public authority and is not carried on for purposes of gain.

*Estonia.* — § 3 of the Employment of Children, Young Persons and Women Act provides that the prohibition contained in § 2 shall not apply to the work of children in trade schools. The rules and conditions of employment in these schools are to be formulated by the Minister of Education, in agreement with the Minister of Labour and Social Welfare.

*Great Britain.* — The Employment of Women, Young Persons and Children Act, 1920, specifically permits the exceptions allowed by the Convention by referring to Part I of the Schedule of the Act which reproduces the terms of Article 3 of the Convention.

*Greece.* — The Act No. 2271 of 1 July 1920 contains the text of the Convention.

*Irish Free State.* — The Employment of Women, Young Persons and Children Act, 1920, specifically permits the exceptions allowed by the Convention by referring to Part I of the Schedule of the Act which reproduces the terms of Article 3 of the Convention.

*Poland.* — The Act of 2 July 1924 makes no express provision for this exception but the terms of the prohibition to employ children under fifteen years of age are that they shall not be employed for remuneration.

*Switzerland.* — The relevant Acts and Orders contain no specific provisions equivalent to those of this Article.

ARTICLE 4 of the Convention is as follows :

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

*Belgium.* — § 16 of the Act relating to the employment of women and children prescribes that "heads of undertakings, employers and managers shall keep a register of the entries prescribed in paragraph 1 of this Section." These entries are the particulars to be entered in the work books of children under the age of sixteen years and of girls and women between the ages of sixteen years and twenty-one years, and include the date of birth.

*Bulgaria.* — § 17 of the Act of 1917 respecting the health and safety of workers provided that workers under eighteen years of age should be provided with work books giving the name, date of birth, age and places of education of the worker. § 5 of the Social Insurance Act of 1924<sup>1</sup> has provided that an insurance book "drawn up in accordance with the regulations, showing the rights and duties of the insured person" should be substituted for the work book.

*Chile.* — Provisions exactly equivalent to those of this Article are not contained in the Act of 8 September 1924. The Act provides, however, in § 28 that the managers of mining and industrial undertakings must communicate to the administrative authorities and to the General Labour Directorate, every six months, information including *inter alia* the names, ages and sex of workers employed or who have been employed in the undertaking during the six months in question. It is further provided in § 36 that the employer shall issue to the father, guardian or trustee of every young person under eighteen years of age a book containing the name, sex, age, etc. of the said young person.

*Czechoslovakia.* — No reference is made to this provision in the Eight-Hour Day Act. The Act of 17 July 1919 provides that, where children under fourteen years of age are employed under that Act, the communal authority and the employer must keep registers of the children employed. Employers must also have a work card for each child employed.

*Denmark.* — § 8 of the Act of 18 April 1925 provides that in every workplace covered by the Act a register must be kept of the persons under eighteen years of age employed therein, stating the name, address and age according to the appended

<sup>1</sup> L.S., 1924. Bulg. 1.



birth certificate of each such person. In the case, however, of young persons of under eighteen years of age employed in bakeries, pastrycooks' and confectioners' establishments and bread factories, the employer shall make out a work book for each of them with the exception of his own children. The Minister of Health and Social Welfare is to lay down detailed rules for the compilation of the register and work books and the rules covering the register shall afford facilities for any undertaking which so desires to use work books instead of the register.

*Estonia.* — § 21 of the Employment of Children, Young Persons and Women Act provides that the head of every industrial undertaking shall keep a register of all persons under eighteen years of age employed by him. The register shall show the date of birth.

*Great Britain.* — § 1 (4) of the Employment of Women, Young Persons and Children Act, 1920, provides that where young persons, who are defined as persons who have ceased to be children and who are still under the age of eighteen years, are employed in any industrial undertaking, a register of the young persons so employed and of the dates of their birth and of the dates on which they enter and leave the service of their employer must be kept and be at all times open to inspection.

*Greece.* — The Act No. 2271 of 1 July 1920 contains the text of the Convention.

*Irish Free State.* — § 1 (4) of the Employment of Women, Young Persons and Children Act, 1920, provides that where young persons, who are defined as persons who have ceased to be children and who are still under the age of eighteen years, are employed in any industrial undertaking, a register of the young persons so employed and of the dates of their birth and of the dates on which they enter and leave the service of their employer must be kept and be at all times open to inspection.

*Poland.* — § 11 of the Act of 2 July 1924 lays down that every employer who employs young persons (i.e. persons between the ages of fifteen and eighteen years) must keep a register of the said young persons in accordance with a model prescribed by the Minister of Labour and Social Welfare, which must be submitted to the labour inspection officials on request. Further, a list of the said young persons must be posted in a conspicuous place in the undertaking, showing their hours of beginning and ending work, breaks and the nature of their employment. An Order of 14 December 1924<sup>1</sup> prescribes models for this register.

*Switzerland.* — In every undertaking covered by the Employment of Women and Young Persons Act, a register must be kept of the young persons under eighteen years of age employed therein showing their dates of birth, while the Federal Council may also order the submission of an age certificate or other measures for the purpose of supervision (§ 7). By § 73 of the Factory Act "any factory owner employing young persons under the age of eighteen years shall demand from such persons a birth certificate which he will keep ready at the works at the disposal of the inspectors."

### III. Enforcement of legislation.

*Belgium.* — See analysis of the report on the *Convention concerning employment of women during the night*. In addition to the penalties there mentioned it is provided that parents or guardians breaking the law, or permitting the law to be broken, are liable to fines of from 1 to 25 frs., or double those amounts for a second offence if committed within twelve months of the first conviction.

*Bulgaria.* — See analysis of the report on the *Convention concerning employment of women during the night*.

*Chile.* — See analysis of the report on the *Hours Convention*.

*Czechoslovakia.* — The supervision of the application of the law devolves more especially upon the local administrative authorities. Where there are undertakings which employ children (i.e. employment in the house of the employer or in agriculture), supervision is entrusted to special inspection authorities. In addition to this supervision, the territorial administrative authorities are empowered to organise special supervisory committees for the purpose of advising upon the methods of applying the provisions relating to the employment of children. These committees must be aided in the performance of their duties by all public and private authorities, associations, institutions and officials occupied with matters affecting the welfare of children. Penal sanctions are contained in the Act of 17 July 1919 respecting child labour, § 14 of which provides that contraventions unless subject to more severe penalties under other Acts shall be punished by fines not exceeding 1,000 kronen or by imprisonment for not more than three months. Illegal employment of a person's own child is dealt with by a caution or in aggravated circumstances by a fine of not more than 300 kronen, or imprisonment for not more than 14 days. Furthermore, the political authorities may prohibit the offender from employing strange children either for a specified period or permanently. Penalties are also provided in cases of persons who

<sup>1</sup> L.S., 1924, Pol. 9.



procure a contravention of the Act by another or co-operate in the said contravention. Fines imposed under the Act are paid to the district in which the offender resides and devoted to purposes connected with the public care of the young.

*Denmark.* — The Act of 18 April 1925 lays down in § 10 that supervision shall be exercised by the Labour and Factory Inspectorate in respect of the undertakings liable to inspection by the Inspectorate and by the police authorities as regards other undertakings. The Minister of Health and Social Welfare, after consultation with the other Ministers concerned, may decide that State undertakings shall be exempt from supervision under the Act provided that the competent authority undertakes to supervise the execution of its provisions. § 11 renders any employer or his representative failing to observe the provisions of the Act liable to a fine of not less than 10 and not more than 200 kr. for every young worker unlawfully employed unless the contravention entails a heavier penalty under the general provisions of the law. Parents or guardians knowing of and consenting to the employment of a young worker contrary to the Act are liable to fines of not less than 2 and not more than 20 kr.

*Estonia.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Great Britain.* — See the analysis of the report on the *Convention concerning employment of women during the night*. As regards constructional works and transport, the Employment of Women, Young Persons and Children Act makes provision for enforcement of the prohibition by the local education authorities as part of the Employment of Children Act, 1903 (now embodied, as far as England and Wales are concerned, in the Consolidating Education Act of 1921).

*Greece.* — See the analysis of the report on the *Convention concerning the employment of women before and after childbirth*. In addition to the penalties therein mentioned the Act of 1912 adds that "the father, mother or guardian of a child under their protection shall be punished with a fine of from 1-25 drachmas, if they suffer such child to be employed in work or permit him to work contrary to the stipulations of this Act."

*Irish Free State.* — See the analysis of the *Convention concerning employment of women during the night*.

*Poland.* — Pursuant to the Decree of 3 January 1919 relating to the organisation and functions of the labour inspection service, the supervision of the application of the Convention is entrusted to the labour inspection service and the Minister of Labour and Social Welfare. The execution

of the penal provisions of the Act of 2 July 1924 relating to the employment of women and young persons falls to the Minister of Justice. § 6 of the Act of 2 July 1924 lays down that a young person may be employed provided that he produces a certificate showing that he has attained the age of fifteen years, a permit from the person exercising the authority of a parent or guardian over him, a certificate of the completion of his compulsory school attendance, and a certificate from a medical practitioner designated by the labour inspectorate to the effect that the employment in question is not beyond his strength. The coming into force of the Act was regulated by an Order of the Council of Ministers dated 17 November 1924<sup>1</sup>. As regards penalties, § 17 of the Act provides that, in cases of contravention, "the head of the undertaking shall be liable to detention for not more than sixty days, and a fine of not less than 50 nor more than 250 zloty, or to either of these penalties alone... More stringent provisions of the penal laws for the various divisions of the national territory shall remain in operation."

*Switzerland.* — See analysis of the report on the *Convention concerning employment of women during the night*. In addition, the Administrative Order of 5 July 1923, which regulates the employment of young persons in transport industries, provides that the Postal and Railway Department shall issue the necessary instructions for the administration of the Order.

#### IV. *Application to colonies, etc.*

*Belgium.* — The Government states: "The Act relating to the employment of women and children and particularly those provisions of the Act relating to the minimum age for admission to employment are not at present applicable to the *Belgian Congo* in virtue of local conditions; this applies, moreover, to the other laws for the protection of the workers in force in Belgium."

*Denmark.* — Ratification does not include *Greenland*.

*Great Britain.* — The Convention has been applied in *Ceylon* and, with modifications, in *Hong Kong*. Its application with modifications is under consideration in the *Straits Settlements*. The Government considers the Convention inapplicable to all other British colonies, protectorates and possessions which are not fully self-governing.

The question does not arise in the case of *Bulgaria, Chile, Czechoslovakia, Estonia, Greece, Irish Free State, Poland* and *Switzerland*.

<sup>1</sup> L.S., 1924, Pol. 9.



## Convention concerning the night work of young persons employed in industry.

### I.

This Convention first came into force on 13 June 1921. Reports have been received in respect of the year ended 31 December 1926 from *Austria, Belgium, Bulgaria, Chile, Denmark, Estonia, France, Great Britain, Greece, India, Irish Free State, Italy, the Netherlands, Poland, Rumania and Switzerland.*

The Government of *Austria*, whilst citing the Act of 14 May 1919 relating to the prohibition of night work for women and young persons in industrial undertakings and the Mining Act of 28 July 1919 as the legislation upon which the application of the Convention is based, points out that the provisions of the Convention have themselves been embodied in Austrian law in virtue of their publication in the *Bundesgesetzblatt* of 19 July 1924. The provisions of the Convention have, therefore, legal effect and complete those of the older legislation; exceptions can only be granted when they are permitted not only by the provisions of the Austrian laws prohibiting night work, but also by the Convention.

The *French* Government reports that an Act to amend §§ 20 a–28 and 96 of Book II of the Code of Labour and Social Welfare (night work of women and children)<sup>1</sup>, dated 24 January 1925, has brought the provisions of the Code into conformity with the Convention. With regard to the consequential amendments to the existing public administrative regulations which determine the exceptions to the law, the report states: "Draft amendments to the existing regulations were prepared immediately. According to the provisions of the Labour Code, regulations of this kind must be submitted successively to the Advisory Committee on Arts and Manufactures, the Superior Labour Commission and the Council of State. The draft regulations have already been adopted by the Advisory Committee on Arts and Manufactures, and they are to be examined in the near future by the

Superior Labour Commission and the Council of State. The Government will do everything possible to secure their promulgation before the end of the present year. Without waiting for the promulgation of the regulations, instructions have been given to the industrial inspectors to make representations to industrial employers in order to secure that they should apply the proposed regulations from now onwards. The statistical tables given at the end of this report show the results of the action of the inspectors. Thanks to their efforts, the application of the regulations, when they are promulgated and come into force, will find the ground already prepared." The tables here referred to show the decrease from 1920 to 1926 in the number of boys employed at night in continuous industries in which such employment was permitted before the Labour Code was amended.

The *Greek* Government states that the Convention was put into effect by Act No. 2272 of 1 July 1920. This Act contained the text of the Convention and prescribed in § 3 that the provisions of the Convention should be incorporated by Royal Decree in the existing laws. It is further stated that the Ministry of National Economy, by its Circular No. 23 of 16 July 1920 to all competent authorities, explained the purpose of Act No. 2272 and invited these authorities to communicate its contents to the workers' and employers' organisations and to endeavour to explain its provisions to them. (See also the summary of the annual reports on the *Hours Convention*.)

As regards *Rumania*, the Government, in reply to the letter of the International Labour Office of 17 December 1926 transmitting the forms for annual reports under Article 408 of the Treaty of Versailles, explained in a communication dated 17 March 1927 that the provisions of this Convention have been taken into consideration in drafting the Bill relating to the employment of minors and women, which is under examination by the Superior Legislative Council and which will be submitted to Parliament in the near future.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408:

<sup>1</sup> L.S., 1925, Fr. 1.

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Austria . . . . .	12.	6.	1924	20.	7.	1924 <sup>1</sup>	11.	3.	1927
Belgium . . . . .	12.	7.	1924	12.	7.	1924 <sup>2</sup>	22.	1.	1927
Bulgaria . . . . .	14.	2.	1922	22.	2.	1923	19.	3.	1927
Chile . . . . .	15.	9.	1925	15.	9.	1925	3.	5.	1927
Denmark . . . . .	4.	1.	1923	19.	5.	1923	17.	2.	1927
Estonia . . . . .	20.	12.	1922	6.	6.	1924	7.	2.	1927
France . . . . .	25.	8.	1925	25.	8.	1925	7.	5.	1927
Great Britain . . . . .	14.	7.	1921	14.	7.	1921 <sup>3</sup> 1. 7. 1922 <sup>4</sup>	11.	2.	1927
Greece . . . . .	19.	11.	1920	13.	6.	1921 <sup>5</sup>	26.	2.	1927
India . . . . .	14.	7.	1921	14.	7.	1921 <sup>6</sup>	24.	2.	1927
Irish Free State . . . . .	4.	9.	1925	4.	9.	1925	5.	4.	1927
Italy . . . . .	10.	4.	1923	27.	6.	1923 <sup>7</sup>	19.	3.	1927
Netherlands . . . . .	17.	3.	1924	17.	3.	1924	7.	1.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>8</sup>	18.	3.	1927
Rumania . . . . .	13.	6.	1921			— <sup>9</sup>	21.	3.	1927
Switzerland . . . . .	9.	10.	1922	10.	10.	1922 <sup>10</sup> 1. 10. 1923 <sup>11</sup>	10.	2.	1927

<sup>1</sup> In accordance with Article 49 of the Constitution the Convention was published in the *Bundesgesetzblatt* of 19 July 1924 and came into force the next day.

<sup>2</sup> The amendments to the Act relating to the employment of women and children of 28 February 1919, made by § 31 of the Eight-Hour Day Act of 14 June 1921, came into force on 1 July 1922.

<sup>3</sup> The report states that the provisions of the Convention came into force, for all industries other than blast furnaces, iron mills, paper mills, and glass works, on 1 January 1921.

<sup>4</sup> For blast furnaces, iron mills, paper mills and glass works.

<sup>5</sup> The report states that the provisions of the Convention came into force on 10 July 1920.

<sup>6</sup> The relevant provisions of the Indian Factories Act were in force before the Convention was ratified.

<sup>7</sup> The Royal Decree of 29 March 1923 giving effect to the Convention was published in the *Gazzetta Ufficiale* of 12 June 1923 and came into force on 27 June 1923.

<sup>8</sup> The report states that the provisions of the Convention came into force on 23 January 1924.

<sup>9</sup> See introductory note above.

<sup>10</sup> Generally.

<sup>11</sup> As regards small undertakings and transport.

II. Legislation.

ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term "industrial undertaking" includes particularly :

(a) Mines, quarries, and other works for the extraetion of minerals from the earth.

(b) Industries in which arteicles are manu-factured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up, or demolished, or in which materials are transformed ; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind.

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, doek, pier, canal, inland waterway, road, tunnel, bridge, viaduet, sewer, drain, well, telegraphie or telephonie in, stallation, electrical undertaking, gas work, water-work, or other work of construction as well as the preparation for or laying the foundations of any such work or structure.

(d) Transport of passengers or goods by road or rail, including the handling of goods at doeks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerec and agriculture.

*Austria.* — The Act of 14 May 1919 relating to the prohibition of night work for women and young persons in industrial undertakings <sup>1</sup> applies to all undertakings covered by the Industrial Code <sup>2</sup> and undertakings owned by corporations, espe-

<sup>1</sup> L.S., 1919, Aus. 7.

<sup>2</sup> The Act promulgating the Industrial Code of 1859 stipulates that the provisions of the Code shall apply to all activity earried on for gain whether in produeing, working up or altering transportable goods, to the running of commercial establishments and to the execution of services and work. From its scope are excluded (a) agri-culture and forestry, together with allied indus-tries in so far as their purpose is the working up of the products themselves, (b) mines and installations dependent upon a conceSSION granted by the mining authorities in accordance with the Mining Act, (c) literary work, the right of authors to publish their own works and the fine arts, (d) jobbing work, (e) domestic work, (f, g, h, i, k) the liberal professions, teaching, financial establish-ments, public educational or reformatory estab-lishments, (l) railways and steamship navigation, (m) maritime navigation subject to the Maritime Acts and sea fishing, (n) undertakings connected with public ferries on rivers, lakes, canals, lumber-ing, etc. (o) public amusements, etc., (p) under-takings connected with the production and sale of periodical publications, (q) hawking, etc.



esially those owned by the State, a province or a municipality, to which the Industrial Code would apply if they were carried on by way of trade; to all undertakings and establishments to which the Industrial Code does not apply, in which merchantable articles are produced or materials treated by way of trade, excluding agriculture and forestry and mining undertakings dealing with reserved minerals and works established by virtue of a mining concession. The Mining Act of 28 July 1919<sup>1</sup> applies to mining undertakings dealing with reserved minerals including works erected under mining concessions. As, however, the publication of the text of the Convention in the *Bundesgesetzblatt* of 19 July 1924 has embodied its provisions in Austrian law, the definition of the term industrial undertaking contained in Article 1 of the Convention prevails against any narrower definition which might be contained in the earlier legislation. The Government states that §§ 1-5 of the Act of 14 May 1919 contain an exact definition of the undertakings covered by the provisions of the Act. The Austrian Act, however, goes further than the Convention in that it also applies to commerce; agriculture and forestry undertakings only are excluded from the scope of the Act.

*Belgium.* — § 1 of the Act relating to the employment of women and children of 28 February 1919<sup>2</sup>, as amended by § 31 of the Eight-Hour Day Act of 14 June 1921<sup>3</sup>, defines the field of application as: (1) undertakings covered by the Eight-Hour Day Act; (2) establishments classified as dangerous, unhealthy and noxious; (3) transport by water. The undertakings covered by the Eight-Hour Day Act are given in § 1 of this Act as follows: (1) mines, surface mines, quarries and other works for the extraction of minerals from the earth; (2) industries in which goods are manufactured, raw materials or manufactured articles transformed, ornamented, finished, cleaned, or adapted for sale; (3) repair, cleaning, restoration of materials, effects or other used goods, as well as demolition of materials; (4) building and auxiliary industries, including maintenance, repair and demolition; (5) public works; (6) private works executed by civil engineers (*génie civil*), other than those proper to the building industry; (7) gas and water-works; (8) generation, transformation and transmission of electricity and motive power; (9) construction, transformation and demolition of ships and boats, their maintenance or repair by workers other than the crews; (10) transport by land; (11) loading, unloading and handling of goods at ports, quays,

warehouses and stations; (12) dairies and cheese-factories; (13) offices of commercial undertakings. The Government states that "the Act relating to the employment of women and children does not apply to agriculture. It applies to commercial establishments when and to the same extent as the Eight-Hour Day Act, in accordance with § 1, is extended by Royal Order to cover these undertakings. No useful purpose would be served by establishing a line of demarcation between industry and commerce in this case and, consequently, it has not been done."

*Bulgaria.* — The Act of 1917 respecting the health and safety of workers<sup>1</sup>, § 18 of which prohibits the night work of young persons, applies to "all industrial undertakings, workshops, commercial undertakings, building undertakings and transport undertakings" (§ 1 (1)). Agricultural undertakings are excluded, but industrial and commercial undertakings carried on in connection therewith, e.g., workshops, transport undertakings, etc., are subject to the night work prohibition.

*Chile.* — The Act of 8 September 1924<sup>2</sup> relating to contracts of employment, under which the Convention is applied, does not define the industrial undertakings to which it applies, but provides in § 1 that the Act shall not apply to "agricultural or domestic work, nor to work performed in commercial businesses or establishments or in industrial establishments which employ less than ten workers." The report states that it has not been necessary further to define the line of division which separates industry from commerce and agriculture.

*Denmark.* — The Act of 18 April 1925<sup>3</sup> covers in connection with the subject of the Convention undertakings in handicrafts and industry and in the transport industry (§ 2). The Government reports that no special decisions have been taken with regard to the line of division which separates industry from commerce and agriculture since the existing provisions are considered sufficiently definite. In case of doubt, the Minister of Health and Social Welfare would decide whether an undertaking is covered by the Act, § 3 of which states that before taking his decision he shall consult the Minister of Industry, Commerce and Navigation and the organisations in the trade concerned in appropriate cases.

*Estonia.* — § 1 (a) to (d) of the Employment of Children, Young Persons

<sup>1</sup> L.S., 1919, Aus. 11.

<sup>2</sup> L.S., 1919, Bel. 2.

<sup>3</sup> L.S., 1921, Bel. 1.

<sup>1</sup> B.B., Vol. XIII, 1918, p. 28.

<sup>2</sup> L.S. 1924, Chile 2.

<sup>3</sup> L.S., 1925, Den. 1.



and Women Act of 20 May 1924<sup>1</sup> reproduces the terms of Article 1 (a) to (d) of the Convention, with the addition that among the works for the extraction of minerals from the earth are specifically included peat digging undertakings, and among the transport undertakings is included transport by sea or inland waterway. Further, the clause of the Convention excluding transport by hand is not contained in the Estonian Act. No decisions have been taken with regard to the line of division which separates industry from commerce and agriculture. Existing provisions are considered sufficiently definite, but should doubts arise in specific cases they would be settled by the Minister of Labour and Social Welfare.

*France.* — The industrial undertakings to which the provisions of the Convention are applicable are enumerated in § 1 of Book II of the Code of Labour and Social Welfare as follows: works, factories, mines (underground and open workings), quarries, yards, workshops, and their dependencies, of any kind whatsoever, public or private, lay or religious, even when these establishments are of an educational or charitable character. To these undertakings, the second paragraph of § 21, as amended by the Act of 24 January 1925, adds the transportation of passengers or goods by road or rail, and loading and unloading undertakings.

*Great Britain.* — § 4 of the Employment of Women, Young Persons and Children Act, 1920<sup>2</sup>, reads: "The expression 'industrial undertaking' has with respect to the employment of children, young persons and women the meanings respectively assigned thereto in the Conventions set out in Parts I, II and III of the Schedule to this Act." No decisions regarding the line of division which separates industry from commerce and agriculture have been given by the competent authority which in Great Britain would be the Courts of Law.

*Greece.* — The Act No. 2272 of 1 July 1920 includes the text of the Convention. The line of division which separates industry from commerce and agriculture has not yet been fixed. The report for 1926, however, states that the Labour and Social Welfare Department has been instructed to prepare as soon as possible a Bill fixing the line of division which separates industry from commerce and agriculture. Meanwhile, the provisions of the Act of 1912<sup>3</sup> relating to the work of women and minors remain in force, and through them the present Convention is

applied also to commercial undertakings and shops of all kinds.

*India.* — In accordance with Article 6 of the Convention the sphere of application is limited to factories as defined in the Indian Factories Act of 1911, as subsequently amended<sup>4</sup>.

*Irish Free State.* — § 4 of the Employment of Women, Young Persons and Children Act, 1920<sup>5</sup>, reads: "The expression 'industrial undertaking' has with respect to the employment of children, young persons and women the meanings respectively assigned thereto in the Conventions set out in Parts I, II and III of the Schedule to this Act." No decisions regarding the line of division which separates industry from commerce and agriculture have been taken.

*Italy.* — The Legislative Decree of 15 March 1923<sup>6</sup>, amending the Act of 10 November 1907 relating to the employment of women and children<sup>4</sup> defines factory or workplace as any place where manual work of an industrial nature is performed with or without the aid of machines not driven by the worker using them, irrespective of the number of workers employed and without distinction of sex or age (§ 1). As regards the line of division which separates industry from commerce and agriculture, the report states that the provisions of the Legislative Decree of 15 March 1923 have in no way invalidated the principles of jurisprudence and administrative practice laid down whilst the previous measures were in force. Given the long period during which this legislation has been in operation, these principles furnish reliable criteria for determining adequately the line of division which separates industry from commerce and agriculture.

*Netherlands.* — The night work of young persons is prohibited in *industrial undertakings*, with the exception of mines but including undertakings for the construction, repair or demolition of buildings of all kinds, railways, canals, inland waterways and roads, by §§ 24 (2) and 30 (2) of the Labour Act, 1919 (No. 624), as amended by the Acts of 1921 (No. 1122), of 1922 (No. 364), and of 1924 (Nos. 515 and 516)<sup>5</sup>. In *mines* night work is prohibited by the Mining Regulations of 1906 (No. 248)<sup>6</sup> as amended by the Royal

<sup>1</sup> L.S., 1924, Est. 1.

<sup>2</sup> L.S., 1920, G. B. 9.

<sup>3</sup> B.B., Vol. VII, 1912, pp. 285-290.

<sup>4</sup> L.S., 1926, Ind. 2.

<sup>5</sup> L.S., 1920, G. B. 9.

<sup>6</sup> L.S., 1923, It. 4.

<sup>4</sup> B.B., Vol. II, 1907, p. 578.

<sup>5</sup> For the text of the Act of 1919 as amended by the Acts of 1921 and 1922 see L.S., 1922, Neth. 1.

<sup>6</sup> B.B., Vol. I, 1906, p. 505.



Decree of 7 October 1922 (No. 550)<sup>1</sup>. For the application to *railways and tramways*, the General Service Regulations for railways of 26 June 1913 (No. 315) and for light railways of 3 June 1915 (No. 230) have been amended by the Royal Decree of 4 November 1922 (No. 591)<sup>2</sup>, and the General Service Regulations for tramways of 24 February 1920 (No. 85) by the Royal Decree of 4 November 1922 (No. 592)<sup>2</sup>. The line of division which separates industry from commerce and agriculture is determined by §§ 1-5 of the Labour Act. § 2 of this Act defines factories and workplaces both positively and negatively. § 3 distinguishes shops from industrial undertakings.

*Poland.* — § 1 of the Act relating to the employment of women and young persons of 2 July 1924<sup>3</sup> prescribes that the general provisions of the Act of 18 December 1919 relating to hours of work in industry and commerce<sup>4</sup>, as supplemented by the provisions of the new Act, are to apply to "the employment of women and young persons in industrial, mining and metallurgical undertakings, in commerce, in offices, in communication services and transport, and likewise in other undertakings carried on by way of trade even if not for a profit, irrespective of whether the said undertakings are owned by the State, a private person or a local authority." The legislation in force thus applies to commercial establishments as well as to industrial undertakings and transport. The Government has reported that the line of division which separates industry from agriculture (although this question has so far given rise to no practical difficulties) is determined in: (a) Former Russian Poland, by §§ 1 and 2 of the Russian Industrial Code and the Commentary of the Central Factories and Mines Office which provide that agricultural and forestry undertakings using machinery and carried on by industrial methods (e.g., distilleries, saw-mills, flour mills, sugar works, etc.) shall be considered as industrial undertakings; (b) Former Austrian Poland, by the *Kaiserliches Patent* of 20 December 1859 which provides that agricultural and forestry undertakings and undertakings subsidiary thereto shall not be treated as industrial undertakings if their primary purpose is the treatment of their own materials; and (c) in Former Prussian Poland, by § 1 of the German *Gewerbeordnung* which provides that agricultural and forestry undertakings and undertakings subsidiary thereto shall not be treated as industrial undertakings if their primary or exclusive economic basis is agriculture and if they are carried on at

the expense of the proprietor with products cultivated by himself.

*Switzerland.* — The Federal Factory Act<sup>1</sup> covers industrial undertakings which employ several workers away from their homes and the Federal Act of 31 March 1922<sup>2</sup> relating to the employment of young persons and women in industry applies to all public and private industrial undertakings to which the Factory Act does not apply and to transport. By § 3 of the Administrative Order of 15 June 1923<sup>3</sup>, issued under this Act, the term "industrial undertaking" is defined as in Article 1 (a), (b) and (c), whilst the Order of 5 July 1923 relating to the employment of young persons in transport undertakings<sup>3</sup> applies to the Swiss Federal railways, railways and navigation undertakings carried on under a concession from the Federation, sleeping and restaurant car undertakings. The term "railways" includes motor car undertakings, railless traction undertakings, lifts and overhead cable railways worked under a concession. With regard to the line of division which separates industry from commerce and agriculture, the agricultural operations which are excluded from the application of the Federal Act relating to the employment of young persons and women in industry are defined by § 4 of the Administrative Order of 15 June 1923. In the case of commerce, the Act and Order exclude it from their field of application without further definition. Should doubt arise regarding the agricultural or commercial character of a particular undertaking, the decision lies with the Industries and Arts and Crafts Division of the Department of Public Economy, subject to appeal to the Federal Council.

#### ARTICLE 2 of the Convention is as follows:

Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed, except as hereinafter provided for.

Young persons over the age of sixteen may be employed during the night in the following industrial undertakings on work which by reason of the nature of the process, is required to be carried on continuously day and night:

(a) Manufacture of iron and steel; processes in which reverberatory or regenerative furnaces are used, and galvanizing of sheet metal or wire (except the pickling process).

(b) Glass works.

(c) Manufacture of paper.

(d) Manufacture of raw sugar.

(e) Gold mining reduction work.

*Austria.* — § 1 (1) of the Act of 14 May 1919 relating to the prohibition of night

<sup>1</sup> L.S., 1922, Neth. 4.

<sup>2</sup> L.S., 1922, Neth. 5.

<sup>3</sup> L.S., 1924, Pol. 2.

<sup>4</sup> L.S., 1920, Pol. 1.

<sup>1</sup> B.B., Vol. IX, 1914, p. 269 and L.S., 1919, Switz. 3.

<sup>2</sup> L.S., 1922, Switz. 2.

<sup>3</sup> L.S., 1923, Switz. 1.



work for women and young persons in industrial undertakings and the Mining Act of 28 July 1919 prohibit the employment during the night (i.e. between 8 p.m. and 5 a.m.) of young persons who have not completed eighteen years of age. The exceptions relating to undertakings in which only members of the same family are employed and to the specified continuous processes have no parallel in these two Acts.

*Belgium.* — § 7 of the Act relating to the employment of women and children as amended by § 31 of the Eight Hour Day Act prohibits the employment during the night of women without distinction of age and of male young persons under the age of eighteen years. § 1 of the Act exempts undertakings "in which only members of the family are employed under the supervision of the father, mother or guardian, provided that such work is not classed as dangerous, unhealthy and noxious and that no steam boilers or mechanical power are used." With regard to continuous processes § 10 of the Act relating to the employment of women and children as amended by § 31 of the Eight Hour Day Act enables the Crown to authorise the employment of boys over the age of sixteen years, either unconditionally or subject to certain conditions, in the undertakings enumerated in Article 2 of the Convention. § 15 of the Act relating to the employment of women and children provides that before exercising such powers the Crown shall consult: (1) the proper Departments of the Industrial and Labour Councils; (2) the Superior Public Health Council; (3) the Superior Labour Council. Royal Decrees making such authorisations have been issued in respect of necessarily continuous work in the following industries: (1) paper works<sup>1</sup>; (2) enamelling processes (iron and steel works)<sup>1</sup>; (3) ordinary glass-blowing factories, mirror glass works and special glass factories assimilated thereto, bottle glass factories working with successive shifts<sup>2</sup>; (4) iron and steel industries, zinc, lead and silver steel industries, zinc, lead and silver smelting works, zinc-rolling mills and works in which iron or steel tubes are manufactured<sup>3</sup>. In the case of paperworks, enamelling processes, and ordinary glass-blowing factories, mirror glass works and special glass factories assimilated thereto, and bottle glass factories working with successive shifts, the permission is subject to the condition that the young persons be employed at night during only one week out of three. In the case

of the fourth group the permission is subject to the condition that in principle young persons be employed at night during only one week out of three, although if the work is organised in two shifts they may be so employed during one week out of two. Moreover, in this group the night work of young persons is only permitted in certain specified processes and in certain of these the work must be broken by one or more periods of rest, the total amount of which must not be less than one hour.

*Bulgaria.* — Young persons under the age of eighteen years may not be employed on night work (§ 18 (2) of the Act respecting the health and safety of workers). Exemptions are provided for undertakings in which only the members of the same family are employed, but not for continuous processes.

*Chile.* — § 30 of the Act of 8 September 1924 provides that "young persons under the age of sixteen years, irrespective of sex, shall not be employed on night work. Young persons over sixteen but under eighteen years of age shall not be employed on night work in the occupations specified by the regulations as dangerous to the physical development or morals of such young persons." Under § 1 of the Act, undertakings "in which only members of the same family are employed under the control of one of them" are excepted. No reference is made in the report to the regulations mentioned in § 30, or to the exceptions provided for in the second paragraph of Article 2.

*Denmark.* — The Act of 18 April 1925 provides by § 2 that in undertakings in handicrafts and industry, and in the transport industry, young persons under eighteen years of age may not be employed between 6 p.m. and 6 a.m. If it appears desirable in any trade in view of its special circumstances that undertakings be allowed to employ young persons after 6 p.m. an exemption from the provisions laid down may be granted by way of exception by the Minister of Health and Social Welfare after consultation with the Labour Council and the trade organisations concerned, provided that the young persons in question are guaranteed a total rest period of 12 hours in the day, and that the employment of such persons after 8 p.m. is not permitted. As regards continuous processes, § 2 of the Act of 18 April 1925 provides that the Minister of Health and Social Welfare, on receipt of application to that effect, and after hearing the Labour Council, may authorise male young persons, who have attained the age of sixteen years, to take part between 6 p.m. and 6 a.m. in work which owing to its nature must be carried on continuously in the following undertakings: iron and steel works, glass

<sup>1</sup> Royal Decree of 22 January 1924 (L.S., 1924, Bel. 7).

<sup>2</sup> Royal Decree of 18 February 1926 (L.S., 1926, Bel. 6).

<sup>3</sup> Royal Decree of 2 December 1924 (L.S., 1924, Bel. 7).



works, paper mills, and raw sugar factories, provided that such employment is considered necessary for the trade training of the persons in question.

*Estonia.* — § 16 of the Employment of Children, Young Persons and Women Act provides that young persons under eighteen years of age shall not be employed during the night in any public or private undertaking. No mention is made in the Act of the exception relating to undertakings in which only members of the same family are employed. § 16 (2) of the Act permits in the case of young persons over seventeen years of age the exception permitted by the Convention in the following undertakings: manufacture of iron and steel, processes in which reverberatory or regenerative furnaces are used and galvanising of sheet metal and wire (except the pickling process), glass works and manufacture of paper.

*France.* — § 21 of Book II of the Code of Labour and Social Welfare, as amended by the Act of 24 January 1925, provides that "children under the age of eighteen years, whether workers or apprentices, and women, shall not be employed on night work of any kind in the establishments specified in § 1" and that "children under the age of eighteen years shall not be employed on night work of any kind in undertakings for the transportation of passengers or goods by road or rail, or in loading and unloading undertakings." Under § 1 undertakings in which only the members of the family are employed under the authority of the father, or of the mother, or of the guardian, are excepted. In § 26, as amended, it is provided that, "in establishments with continuous processes, boys over sixteen years of age may be employed at night on necessary work. The kinds of work permitted and the hours within which such work may be performed shall be specified by public administrative regulations." § 3 of the Act of 24 January 1925 contains the following transitional provisions: "In the establishments with continuous processes referred to in § 26 of Book II of the Code of Labour and Social Welfare, boys under sixteen years of age may continue to be employed at night, under the conditions laid down in the public administrative regulations at present in force, until the amendments to be made in the said regulations under § 1 of this Act come into operation." With regard to the promulgation of these amended regulations, see the introductory statement above.

*Great Britain.* — The Employment of Women, Young Persons and Children Act, 1920, provides in § 1 (3) that no young person is to be employed at night in any industrial undertaking "except to the extent to which and in the circumstances in which such employment is permitted"

by the Convention. As regards the exception permitted by the Convention in the case of continuous processes in which reverberatory or regenerative furnaces are used, this was covered in Great Britain by an Order of 21 May 1913 issued in pursuance of § 54 of the Factory and Workshop Act. This Order has since been amended by the Night Employment of Young Persons (Reverberatory or Regenerative Furnaces) Order 1924<sup>1</sup>. The effect of this Order is to limit the permission to employ young persons over sixteen years of age in processes in which reverberatory or regenerative furnaces are used to parts of factories in which these furnaces are used in connection with (a) smelting of ores, (b) metal rolling, (c) forges or (d) manufacture of metal tubes or rods and which are "necessarily kept in operation day and night in order to avoid waste of material and fuel". This permission is subject *inter alia* to the condition that the exception is only to apply to young persons employed in such processes as are defined in the certificate delivered to the employer by the inspector of the district and to the condition that every young person so employed must undergo at least once in six months a medical examination by the district certifying surgeon.

*Greece.* — The Act No. 2272 of 1 July 1920 includes the text of the Convention.

*India.* — The Factories Act prescribes in § 23 (b) that "no child shall be employed in any factory before half-past five o'clock in the morning or after seven o'clock in the evening". (See also under ARTICLES 3 and 6.)

*Irish Free State.* — The Employment of Women, Young Persons and Children Act, 1920, provides that no young person under the age of eighteen years may be employed except to the extent to which and in the circumstances in which such employment is permitted by the Convention.

*Italy.* — § 2 of the Legislative Decree of 15 March 1923 amends § 5 (a) of the Act of 10 November 1907 to read: "Young persons under eighteen years of age shall not be employed during the night in factories or workplaces or in annexes thereto". In § 1 of the Decree it is specified that factories and workshops in which only members of the same family are employed are to be excepted. The amended § 5 (a) of the Act permits the employment during the night of young persons over sixteen years of age in the continuous processes mentioned in the Convention.

*Netherlands.* — § 24 (2) of the Labour Act provides that a worker shall not work

<sup>1</sup> L.S., 1924, G. B., 1.



in a *factory* or *workplace* between 6 p.m. and 7 a.m. § 30 (2) stipulates that if deviations from the provisions laid down in § 24 are authorised it shall be borne in mind that the work of a young person (by which term is meant, in accordance with § 8, workers under eighteen years of age) on two consecutive days must be divided by a night's rest of not less than eleven consecutive hours and that such person must not work in a factory or workplace between 10 p.m. and 5 a.m. In the case of *mines*, § 227 of the Mining Regulations, 1906, as amended by the Royal Decree of 7 October 1922, prohibits the employment of persons under sixteen years of age in works above ground between the hours of 6 p.m. and 6 a.m. Employment underground is prohibited for all boys under sixteen years of age and women in virtue of § 233 (see also under ARTICLE 3). In the case of *railways* and *tramways*, the General Service Regulations of 26 June 1913 and the General Service Regulations for light railways of 3 June 1915 as well as the Regulations relating to tramways of 24 February 1920, which have been modified by the Royal Decrees of 4 November 1922, provide that young persons of less than eighteen years of age must not be employed between 10 p.m. and 5 a.m.

*Poland.* — § 8 of the Act of 2 July 1924 relating to the employment of women and young persons provides that the night's rest of young persons (i.e. persons of both sexes between fifteen and eighteen years of age) is to amount to not less than eleven consecutive hours, and is to comprise the period between 8 p.m. and 6 a.m. in undertakings working a single shift, and between 10 p.m. and 5 a.m. in undertakings on the two-shift system. The exception relating to undertakings where only members of the same family are employed is not mentioned in this Act. § 8 also provides that the prohibition of night work is not to apply to male young persons over sixteen years of age employed on work which, by reason of the nature of the process, is required to be carried on continuously day and night in the undertakings enumerated in Article 2, (a) to (d), of the Convention.

*Switzerland.* — § 71 of the Factory Act, as amended by § 16 of the Act relating to the employment of young persons and women in industry, and § 3 of the Order relating to the employment of young persons in transport undertakings prohibit the employment during the night of young persons under eighteen years of age. The Act relating to the employment of young persons and women in industry does not apply to undertakings where only members of one and the same family are employed (§ 1). With regard to continuous processes no specific exemption appears yet to have been given but the amended

§ 71 of the Factory Act lays down that "in the case of boys over sixteen years of age the Federal Council may authorise exceptions respecting night work which are required in the public interest or provided for by international conventions".

#### ARTICLE 3 of the Convention is as follows :

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval of ordinarily fifteen hours, and in no case of less than thirteen hours, separates two periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

In those tropical countries in which work is suspended during the middle of the day, the night period may be shorter than eleven hours if compensatory rest is accorded during the day.

*Austria.* — The Acts of 14 May 1919 and 28 July 1919 define the term "night" as a period of at least eleven consecutive hours including the interval between 8 p.m. and 5 a.m. In industrial undertakings in which two or more shifts of not more than eight hours are worked, the night's rest for women and for young persons who have completed sixteen years of age may begin at 10 p.m. In mines in which at least two shifts are worked, the night's rest may also begin at 10 p.m. but only in the case of male young persons of sixteen years of age or over. Differentiation for the baking industry is not permitted by the Austrian Acts. The provision regarding tropical countries has no application to Austria.

*Belgium.* — The night rest period is defined in § 8 of the Act relating to the employment of women and children as amended by § 31 of the Eight Hour Day Act as consisting of not less than eleven consecutive hours including the period between 10 p.m. and 5 a.m. § 9 of the Act relating to the employment of women and children, also amended by § 31 of the Eight Hour Day Act, stipulates that male young persons over the age of sixteen years may be employed in coal mines after 10 p.m. and before 5 a.m. provided that "the working periods of the shifts to which they belong shall be separated by intervals of at least fifteen hours". Differentiation for the baking industry is not permitted by the Belgian Acts. The provision regarding tropical countries has no application to Belgium.

*Bulgaria.* — § 18 (2) of the Act respecting the health and safety of workers defines night work to be work performed



between 8 o'clock in the evening and 6 o'clock in the morning. Differentiation for the mining industry is not permitted by this Act. The provisions regarding the baking industry and tropical countries have no application.

*Chile.* — § 30 of the Act of 8 September 1924 provides that "night work shall be deemed to mean work performed between 7 p.m. and 6 a.m. during the period from 1 May to 30 September, and between 8 p.m. and 5 a.m. during the rest of the year." No reference is made in the report to the exceptions provided for in the second, third and fourth paragraphs of Article 3.

*Denmark.* — The Act of 18 April 1925 defines "night" as the period between 6 p.m. and 6 a.m., though in certain cases (see under ARTICLE 2) the Minister of Health and Social Welfare may substitute for this period the shorter period of the hours between 8 p.m. and 6 a.m. Differentiation for the mining industry is not permitted by the Act. As regards bakeries, provision is made by § 2 (2) that "in work-places belonging to bakeries and confectioners' and pastry cooks' establishments, apprentices shall not be employed after 6 p.m., and other young persons under eighteen years of age shall not be employed between 8 p.m. and 4 a.m.; such young persons shall be granted a total rest period of not less than twelve hours in the day". The provision regarding tropical countries has no application.

*Estonia.* — § 18 of the Employment of Children, Young Persons and Women Act provides that the term "night" shall signify a period of at least eleven consecutive hours, including the interval between 9 p.m. and 5 a.m. in undertakings working with a single shift, or the interval between 10 p.m. and 5 a.m. in undertakings working with two shifts or more (see also under ARTICLE 4). Differentiation for the mining industry is not permitted by the Act. The provisions regarding the baking industry and tropical countries have no application.

*France.* — § 22 of Book II of the Code of Labour and Social Welfare, as amended by the Act of 24 January 1925, provides that "work performed between 10 p.m. and 5 a.m. shall be deemed to be night work", and § 23 specifies that "the nightly rest period of children of both sexes and of women shall not be less than eleven consecutive hours." The report of the French Government states that, before the passing of the Act of 24 January 1925, the night period was defined as the period between 9 p.m. and 5 a.m. The Government has taken advantage of the possibility given by the Convention to change the commencing hour of the night period from 9 p.m. to 10 p.m. because

this change facilitates the application of the Eight-hour Day Act of 23 April 1919<sup>1</sup>, in that it makes it easier to organise two day shifts with suitable breaks. As regards the exception provided for in the second paragraph of Article 3, § 27 of the Code, as amended, lays down that "by way of exception to §§ 21 and 22, boys may be employed from 4 a.m. onwards and until 10 p.m. in underground work in mines, pits and quarries if their work is distributed between two shifts of workers. There shall be a break of not less than half-an-hour during every shift." § 28 provides that "in certain mines specified by public administrative regulations, in which, owing to natural conditions, an exception to the provisions laid down in §§ 21 and 22 is necessary, the said regulations may authorise the employment of boys from 4 a.m. and until midnight." No reference is made in the report to the exceptions for the baking industry where night work in that industry is prohibited for all workers, but the French Code would appear not to permit this exception. With regard to the last paragraph of Article 3, the report states that it could only be applicable in the French colonies to which, however, the Convention is not applied.

*Great Britain.* — Night is defined as in the Convention as a period of at least eleven consecutive hours including the interval between 10 o'clock in the evening and 5 o'clock in the morning by the inclusion of this Article of the Convention in the Schedule to the Employment of Women, Young Persons and Children Act, 1920. In mines, young persons under sixteen years of age may not be employed above ground at night but boys over the age of fourteen years may be employed underground at night as well as by day subject to the observance of the provisions of Article 3, paragraph 2. The provisions regarding the baking industry and tropical countries have no application.

*Greece.* — The Act No. 2272 of 1 July 1920 includes the text of the Convention. The provision regarding tropical countries has not been applied.

*India.* — The Factories Act provides generally that night work shall be the work performed in the period between 7 o'clock in the evening and 5.30 in the morning, local Governments being permitted to substitute for these hours such one of the following sets as they may deem suitable: 6.30 p.m. to 5 a.m., 7.30 p.m. to 6 a.m., 8 p.m. to 6.30 a.m. and 8.30 p.m. to 7 a.m. Advantage has not been taken of the provision regarding tropical countries. The other points raised by Article 3 do not arise. (See ARTICLE 6.)

<sup>1</sup> L. S., 1919, Fr. 3.



*Irish Free State.* — Night is defined as in the Convention as a period of at least eleven consecutive hours including the interval between 10 o'clock in the evening and 5 o'clock in the morning by the inclusion of this Article of the Convention in the Schedule to the Employment of Women, Young Persons and Children Act, 1920. The special provision for the mining industry is included in the Schedule. The provisions regarding the baking industry and tropical countries have no application.

*Italy.* — The Legislative Decree of 15 March 1923 amending the Act of 10 November 1907 relating to the employment of women and children defines night by § 2 as a period "of at least eleven consecutive hours, including the interval between 10 p.m. and 5 a.m." Differentiation for the mining and baking industries is not permitted by the Decree. Advantage has not been taken of the provision regarding tropical countries.

*Netherlands.* — § 24 (2) of the Labour Act lays down that a worker shall not work in a *factory* or *workplace* between 6 p.m. and 7 a.m., while § 30 (2) stipulates that if deviations from the provisions of § 24 are authorised it shall be borne in mind that the work of young persons of less than eighteen years of age in factories or workplaces on two consecutive days must be divided by a night's rest of not less than eleven consecutive hours and that such person must not work in a factory or workplace between 10 p.m. and 5 a.m. In the case of *transport*, the regulations forbid the employment of young persons of less than eighteen years of age between 10 p.m. and 5 a.m. It would appear that the length of the period of unbroken rest is regulated by the general provisions relating to the rest periods of railway and tramway employees which are contained in § 91 of the General Regulations for railways and in § 75 of the Tramways Regulations. By these sections the workers are entitled to an uninterrupted rest period of not less than ten hours between two consecutive periods of duty twice in every period of two consecutive weeks and an uninterrupted rest period of not less than twelve hours on the other occasions, though the Minister may conditionally or unconditionally limit the uninterrupted rest period to ten hours in the case of sections of the staff designated by him. With regard to *mines*, the Mining Regulations as amended by the Decree of 7 October 1922 provide by §§ 228 (a) and 233 (a) that young persons over sixteen and under eighteen years of age may be employed between 10 p.m. and 5 a.m. if they are granted the rest periods laid down in the Convention. In the case of the baking industry, § 35 (2) of the Labour Act prohibits work in bak-

eries between 8 p.m. and 6 a.m. except in the special circumstances detailed in the Act. The provision regarding tropical countries has no application.

*Poland.* — § 8 of the Act of 2 July 1924 defines the night period as a period of eleven consecutive hours, including the interval between 8 p.m. and 6 a.m. in undertakings working a single shift, and between 10 p.m. and 5 a.m. in undertakings on the two-shift system. It also provides that in coal mines work may be carried on by male young persons over sixteen years of age in the interval between 10 p.m. and 5 a.m. if an interval ordinarily of fifteen hours, and in no case of less than thirteen hours, separates two shift periods. Differentiation for the baking industry is not permitted by the Act. The provision regarding tropical countries has no application.

*Switzerland.* — § 65 of the Factory Act, § 3 of the Act of 31 March 1922 relating to the employment of young persons and women in industry, and § 3 of the Order of 5 July 1923 relating to the employment of young persons in transport undertakings define "night" as a period of not less than eleven consecutive hours including the interval between 10 p.m. and 5 a.m. Differentiation for the mining and baking industries is not permitted by the legislation cited. The provision regarding tropical countries has no application.

#### ARTICLE 4 of the Convention is as follows :

The provisions of Articles 2 and 3 shall not apply to the night work of young persons between the ages of sixteen and eighteen years in case of emergencies which could not have been controlled or foreseen, which are not of a periodical character, and which interfere with the normal working of the industrial undertaking.

*Austria.* — § 3 of the Act of 14 May 1919 provides that male young persons who have completed sixteen years of age may, subject to notification to the industrial authority of first instance, be employed on night work for not more than eight days, if this is necessary (a) in order to remedy a state of disorganisation in an undertaking which could not have been foreseen and does not recur periodically ; (b) in order to prevent an otherwise unavoidable loss of material. No undertaking may avail itself of this exception for more than twenty-four days during the year. The Mining Act of 28 July 1919 makes no specific provision for exceptions of this kind.

*Belgium.* — § 14 of the Act relating to the employment of women and children as amended by § 31 of the Eight Hour Day Act provides that in cases of *force majeure*,



when a stoppage has occurred which it was impossible to foresee and which is not of a recurring character, "the Governors (of Provinces) may, on the report of the competent labour inspector, for all industries and trades and for a specified period, authorise the employment of boys and girls over the age of sixteen years and women after 10 p.m. and before 5 a.m." This authorisation may not however be granted for more than sixty days in any one year and the night rest period may not be reduced to less than ten hours.

*Bulgaria.* — § 18 of the Act respecting the Health and Safety of Workers provides that "night work may be permitted in undertakings and processes where this is necessitated by *force majeure* or unforeseen circumstances... Such permission may not be granted in the case of young persons of either sex who have not completed their sixteenth year."

*Chile.* — The legislation cited in the report makes no reference to the exceptions provided for in Article 4.

*Denmark.* — The Act of 18 April 1925 provides that the provisions relating to the night work of young persons may be set aside in respect of young persons between sixteen and eighteen years of age in cases where natural events, accidents, or other similar occurrences which could not be foreseen or prevented, and are not of a periodical character, have deranged the regular working of the undertaking. This exemption is subject to the authorisation of the labour and factory inspection directorate for undertakings within the competence of this directorate or of the police authority in other cases, though when the performance of certain work cannot be delayed owing to its nature, or when it is necessary to repair dislocation or damage without delay, a notification in writing of the departure from the provisions which is necessitated thereby is considered sufficient.

*Estonia.* — § 19 of the Employment of Children, Young Persons and Women Act provides that the prohibition of night work shall not apply as regards young persons between the ages of sixteen and eighteen years in cases of accident or *force majeure* which are not of a periodical character and which interfere with the normal working of the undertaking. § 20 provides that "in undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it the night period may be reduced to ten hours a day on sixty days of the year."

*France.* — § 24 of Book II of the Code of Labour and Social Welfare, as amended by the Act of 24 January 1925, lays down that, "provided that notice is

given in advance, exceptions may be allowed to the provisions of §§ 21 and 22 in respect of boys between sixteen and eighteen years of age, for the purpose of preventing impending accidents or for purposes of repair after an accident has occurred." § 25 further provides that, "in addition, in case of an interruption of work due to an accidental cause or to *force majeure* which is not of a periodically recurring character, the head of an undertaking in any industry may employ children not under the age of sixteen years and adult women, in deviation from the provisions of §§ 21 and 22, under the conditions laid down by public administrative regulations, within the limit of the number of days lost, provided that the inspector is notified in advance. Nevertheless, a head of an undertaking shall not avail himself of this right on more than fifteen nights in the year without the permission of the inspector."

*Great Britain.* — The Employment of Women, Young Persons and Children Act, 1920, reproduces the terms of Article 4 of the Convention in Part II of the Schedule and under § 1 (3) prohibits the night work of young persons "except to the extent to which and in the circumstances in which such employment is permitted" by the Convention.

*Greece.* — The Act No. 2272 of 1 July 1920 contains the text of the Convention.

*India.* — This provision does not concern India.

*Irish Free State.* — The Employment of Women, Young Persons and Children Act, 1920, reproduces the terms of Article 4 of the Convention in Part II of the Schedule and under § 1 (3) prohibits the night work of young persons "except to the extent to which and in the circumstances in which such employment is permitted" by the Convention.

*Italy.* — § 2 of the Royal Legislative Decree of 15 March 1923 amended § 5 of the Act of 10 November 1907 to provide that the prohibition of night work shall not apply to the night work of young persons over sixteen years of age in cases of emergency which could not have been controlled or foreseen, which are not of a recurring nature and which interfere with the normal work of the industrial undertaking.

*Netherlands.* — No exception to the prohibition relating to night work is provided as regards factories and workshops. § 94 of the Regulations of 26 June 1913 relating to railways and of the Regulations of 3 June 1915 relating to light railways enables the Minister to authorise exemptions from the prohibition of night work in the case of young persons



of more than sixteen years of age in respect of the staff of relatively unimportant stations, halts and posts and also in respect of the persons not uninterruptedly employed during their period on duty. § 95 (a) permits the granting of exemptions from the prohibition of the night work of young persons in the case of young persons over sixteen years of age when such exemptions are necessary for the proper performance of duties or the safety of traffic, provided that this cannot be avoided by the taking of other measures. In the case of tramways § 77 of the Regulations of 24 February 1920 stipulates that the Minister may grant exemptions conditionally or unconditionally from the prohibition of the night work of young persons of more than sixteen years of age. § 79 permits the same exemptions as are permitted by § 95 (a) of the Regulations relating to railways.

*Poland.* — § 8 of the Act of 2 July 1924 provides that the prohibition of night work is not to apply to young male persons over sixteen years of age "in cases of emergency which could not have been foreseen or prevented, which are not of a periodical character, and which interfere with the normal working of the undertaking."

*Switzerland.* — § 4 of the Federal Act relating to the employment of young persons and women in industry provides that the prohibition may be suspended for persons of not less than sixteen years of age in the event of an interruption of work of the undertaking due to *force majeure* which could not be foreseen and does not recur periodically. The Federal Order in application of this Act further provides that this suspension is subject to the permission, in cases of suspension for not more than ten nights, of the district authority or in default thereof of the local authority and, in cases of suspension for more than ten nights, of the Cantonal Government. If permission cannot be secured in due time the competent authority must be informed not later than the following day.

#### ARTICLE 6 of the Convention is as follows :

In the application of this Convention to India, the term "industrial undertaking" shall include only "factories" as defined in the Indian Factory Act, and Article 2 shall not apply to male young persons over fourteen years of age.

*India.* — The Government has notified the Office that in the application of this Convention to India the term "industrial undertaking" includes only factories as defined in the Factories Act<sup>1</sup>. § 2 (1) of the Act defines child as "a person who is under the age of fifteen years".

<sup>1</sup> See under *Hours Convention*, ARTICLE 10, for definition of "factory".

#### ARTICLE 7 of the Convention is as follows :

The prohibition of night work may be suspended by the Government, for young persons between the ages of sixteen and eighteen years, when in case of serious emergency the public interest demands it.

*Austria.* — Legislative provision is made for suspension by § 4 of the Act of 14 May 1919 which lays down that if important considerations of national economy or the interests of the workers require it the Department of Social Administration may, after hearing the various employers' and workers' organisations, grant exemptions from the provisions of the Act specifying wherever necessary the conditions which are to be observed in the employment of women and young persons on night work. The Government reports that in virtue of Article 7 of the Convention such exemptions can only be given in the case of the industrial undertakings named in Article 1 of the Convention and can only apply to the work of young persons from sixteen to eighteen years of age. Exemptions may only be granted "when in case of serious emergency the public interest demands it". The Government adds that no suspension under Article 7 has yet been granted.

*Belgium.* — § 14 of the Act relating to the employment of women and children as amended by § 31 of the Eight Hour Day Act provides that in specially grave cases and when the public interest so requires "the Governors (of Provinces) may, on the report of the competent labour inspector, for all industries and trades and for a specified period, authorise the employment of boys and girls over the age of sixteen years and women after 10 p.m. and before 5 a.m." This authorisation may not however be granted for more than sixty days in any one year and the night period may not be reduced to less than ten hours. The Government reports that no suspension under Article 7 has yet been granted.

*Bulgaria.* — The Government reports that it has not been necessary to make use of Article 7.

*Chile.* — The report states that the application of the Act of 8 September 1924 has not been suspended.

*Denmark.* — The Government reports that no such suspension has so far been effected.

*Estonia.* — The Government reports that it has not been necessary to make use of Article 7.

*France.* — The Government reports that the application of the Convention has not been suspended in virtue of Article 7.



*Great Britain.* — The Employment of Women, Young Persons and Children Act, 1920, reproduces the terms of Article 7 of the Convention in Part II of the Schedule and under § 1 (3) prohibits the night work of young persons "except to the extent to which and in the circumstances in which such employment is permitted" by the Convention. The Government reports that the operation of the provisions of the Convention has as yet not been suspended in virtue of Article 7.

*Greece.* — The Government reports that no suspension in virtue of Article 7 has as yet been effected.

*India.* — § 56 of the Factories Act provides that "in case of any public emergency, the Local Government may, by an order in writing, exempt any factory from the Act to such extent and during such period as it thinks fit." The Government reports that it has not yet been necessary to make use of Article 7.

*Irish Free State.* — The Employment of Women, Young Persons and Children Act, 1920, reproduces the terms of Article 7 of the Convention in Part II of the Schedule and under § 1 (3) prohibits the night work of young persons "except to the extent to which and in the circumstances in which such employment is permitted" by the Convention. The Government reports that no suspensions in virtue of this Article have been effected during 1926.

*Italy.* — § 2 of the Royal Legislative Decree of 15 March 1923 amended § 5 (a) of the Act of 10 November 1907 to provide that "the prohibition of night work of young persons over sixteen years of age may be suspended by decree of the Minister of Labour and Social Welfare in cases of serious emergency when the public interest demands it." The Government reports that no suspension has as yet been effected under Article 7.

*Netherlands.* — The Government reports that it has not yet been necessary to make use of Article 7.

*Poland.* — § 21 of the Act of 2 July 1924 lays down that the provisions of the Act are not to operate in restriction of the powers of the Council of Ministers specified in § 6 (d) of the Eight-Hour Day Act of 18 December 1919. § 6 (d) reads as follows: "In case of national necessity, the hours of work may be extended by an order based on the decision of the Council of Ministers and, in appropriate cases, on advice tendered by trade associations of workers and employers; such extension may take place on any day of the week, including Sunday, in certain establishments or classes of establishment, but in no case for a period

exceeding three months." The Government reports that no use has yet been made of Article 7.

*Switzerland.* — § 6 of the Act relating to the employment of young persons and women in industry provides that "the Federal Council may authorise further exceptions which are required in the public interest or provided for by international conventions." § 4 of the Order relating to the employment of young persons in transport undertakings provides that "the Federal Council may authorise further exemptions in the public interest." The Government reports that it has not yet been necessary to make use of Article 7.

### III. Enforcement of legislation.

*Austria.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Belgium.* — See the analysis of the report on the *Convention concerning employment of women during the night*. In addition to the penalties there mentioned, it is provided that parents or guardians breaking the law or permitting the law to be broken are liable to fines of from 1 to 25 francs, or double those amounts for a second offence if committed within twelve months of the first conviction.

*Bulgaria.* — See the analysis of the report of the *Convention concerning employment of women during the night*.

*Chile.* — See the analysis of the report on the *Hours Convention*.

*Denmark.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to industrial employment*.

*Estonia.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*France.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Great Britain.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Greece.* — See the analysis of the reports on the *Conventions concerning the employment of women before and after childbirth and fixing the minimum age for admission of children to industrial employment*.

*India.* — See the analysis of the report on the *Hours Convention*.

*Irish Free State.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Italy.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Netherlands.* — Supervision of application of the legislation in force is entrusted to the factory inspectorate working under the general direction of the Ministry of Labour and Industry in undertakings covered by the Labour Act of 1919 and of the inspectors of mines in the case of the undertakings covered by the Acts and Regulations relating to mines. (See the analysis of the report on the *Convention concerning employment of women during the night* for methods of enforcement and penalties.) The supervision of the laws and regulations relating to railways, light railways and tramways is effected by the general railway inspecting authorities subject to the control of the Ministry of Waterways and Communications. Railway inspectors are at all times free to visit the parts of the railway subject to their inspection (stations, works, trains, carriages, etc.). In cases of breach of the law they inform in writing the responsible railway authorities of the facts and indicate what measures must be taken. If their recommendations are not followed, they may bring the case before the Minister of Waterways and Communications. The penalties provided include fines from 50 cents to 5,000 gulden and imprisonment for a maximum period of one month.

*Poland.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to industrial employment*.

*Switzerland.* — See the analysis of the reports on the *Conventions concerning employment of women during the night* and *fixing the minimum age for admission of children to industrial employment*.

#### IV. *Application to colonies, etc.*

*Belgium.* — The Government states that "the Act relating to the employment of women and children and particularly those provisions of the Act concerning the night work of young persons are not at present applicable to the *Belgian Congo* in virtue of local conditions. This applies moreover to the other laws for the protection of the workers in force in Belgium."

*Denmark.* — The instrument of ratification specified that ratification should not include *Greenland*.

*France.* — The Government reports that the Convention will not be applied to French overseas possessions in consequence of local conditions.

*Great Britain.* — The Government reports that the Convention has been applied, with modifications, in *Ceylon*. Its application, with modifications, is under consideration in *Hong-Kong*. In all other British colonies, protectorates and possessions which are not fully self-governing, it is considered inapplicable.

*Italy.* — The application of the Convention has not yet been extended to the colonies.

*Netherlands.* — The Government had already reported that this Convention was considered applicable with modifications in the *Dutch East Indies*. By letter of 11 February 1926 the Minister for the Colonies forwarded to the Office the text of an Order of the Governor-General of the Dutch East Indies dated 17 December 1925 concerning child labour and the employment of women during the night. § 1 of this Order lays down that children under twelve of age may not be employed between 8 p.m. and 5 a.m. By § 2 should a child of between eight and twelve years of age be found on enclosed premises in which work is being carried on, he shall be considered, unless proof to the contrary be provided, as being employed at the time. The measures for the supervision of the application of the Order are summarised in the analysis of the report on the *Convention concerning employment of women during the night*. The Order came into force on 1 March 1926. The Netherlands Government has further reported that neither in *Surinam* nor in *Curaçao* is night work carried out by young persons in industry at the present time. It is, however, by no means inconceivable that, with the progressive development of industry in these provinces, conditions will arise in which the performance of night work by such persons will be economically unavoidable. In these circumstances no such decision as is contemplated in the second paragraph of Article 9 of the Convention can at present be adopted in regard to *Surinam* and *Curaçao*.

The question does not arise in the case of *Austria, Bulgaria, Chile, Estonia, Greece, India, Irish Free State, Poland* and *Switzerland*.



## SECOND SESSION (GENOA, 1920).

### Convention fixing the minimum age for admission of children to employment at sea.

#### I.

This Convention first came into force on 27 September 1921. Reports have been received in respect of the year ended 31 December 1926 from *Belgium, Bulgaria, Denmark, Estonia, Finland, Great Britain, Greece, Irish Free State, Japan, Netherlands, Poland, Rumania, Spain and Sweden.*

The *Belgian* Government reports that the Belgian Acts of 13 December 1889, 10 August 1911 and 26 May 1914 relating to the employment of women and children as last amended by the Act of 14 June 1921 establishing the eight-hour day and the forty-eight hour week<sup>1</sup>, prohibit the employment of children under the age of fourteen years (see Royal Co-ordination Order of 28 February 1919<sup>2</sup>). Although this prohibition is not applicable to shipping, it has been from the beginning observed in practice in the mercantile marine and the fishing industry. A Bill concerning the regulation of seamen's articles of agreement which was submitted to Parliament on 22 July 1926 will explicitly cover the terms of the Convention.

<sup>1</sup> L.S., 1921, Bel. 1.

<sup>2</sup> L.S., 1919, Bel. 2.

The report of the *Greek* Government states that the Convention was given effect to by a Legislative Decree of 7 October 1925 relating to the ratification of the Convention. This Decree contains the text of the Convention and prescribes in § 3 that detailed provisions for its application should be made by Decree issued on the motion of the Minister of Marine. See also the introductory note to the *Hours Convention*.

As regards *Rumania*, the Government, in reply to the letter of the International Labour Office of 17 December 1926 transmitting the forms for annual reports under Article 408 of the Treaty of Versailles, explained in a communication dated 17 March 1927 that the provisions of this Convention have been taken into consideration in preparing a Bill relating to the employment of minors and women, which is now being examined by the Superior Legislative Council and will shortly be submitted to Parliament.

The Government of *Spain* reports that the Regulations of 26 March 1925, under which the Convention was applied, have been included in the Labour Code promulgated on 23 August 1926. The sections of the Regulations relating to the provisions of the Convention have become §§ 35, 36 and 37 of the Code.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Belgium . . . . .	4.	2.	1925	4.	2.	1925 <sup>1</sup>	18.	2.	1927
Bulgaria . . . . .	16.	3.	1923	20.	3.	1923	19.	3.	1927
Denmark. . . . .	12.	4.	1924	8.	7.	1924	17.	2.	1927
Estonia . . . . .	3.	3.	1923	6.	6.	1924	7.	2.	1927
Finland . . . . .	10.	10.	1925	10.	10.	1925	21.	2.	1927
Great Britain . . . . .	14.	7.	1921	27.	9.	1921 <sup>2</sup>	11.	2.	1927
Greece. . . . .	16.	12.	1925	16.	12.	1925 <sup>3</sup>	26.	2.	1927
Irish Free State . . . . .	4.	9.	1925	4.	9.	1925	9.	3.	1927
Japan . . . . .	7.	6.	1924	7.	6.	1924 <sup>4</sup>	1.	3.	1927
Netherlands . . . . .	26.	3.	1925	26.	3.	1925	7.	1.	1927
Poland. . . . .	21.	6.	1924	12.	6.	1924 <sup>5</sup>	18.	3.	1927
Rumania . . . . .	8.	5.	1922			— <sup>6</sup>	21.	3.	1927
Spain . . . . .	20.	6.	1924	14.	4.	1925 <sup>7</sup>	13.	4.	1927
Sweden . . . . .	27.	9.	1921	27.	9.	1921	17.	2.	1927

<sup>1</sup> The report states that the Convention acquired force of law in Belgium on 16 September 1924. See also introductory note above.

<sup>2</sup> The report states that the provisions of the Convention have been applied since 1 July 1921.

<sup>3</sup> The report states that the provisions of the Convention have been applied since 7 October 1925.

<sup>4</sup> The report states that the provisions of the Convention have been applied since 15 December 1923.

<sup>5</sup> The report states that the provisions of the Convention have been applied since 23 January 1924.

<sup>6</sup> See introductory note above.

<sup>7</sup> Date of coming into force of the Royal Decree of 26 March 1925.

II. Legislation.

ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term “vessel” includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned ; it excludes ships of war.

*Belgium.* — The legislation cited in the report does not define the term “vessel”, but see introductory note above.

*Bulgaria.* — The Health and Safety of Workers Act of 1917<sup>1</sup> and the Regulations of the Bulgarian Navigation Company, under which the Convention is applied, use the terms “steamers” and “vessels” without specific definition.

*Denmark.* — The term “vessel” is not specifically defined in the Seamen’s Act of 1 May 1923<sup>2</sup>.

*Estonia.* — The Estonian Employment of Children, Young Persons and Women Act, 1924<sup>3</sup>, which regulates the minimum age for the admission of children to employment in industrial undertakings, includes in the definition of “industrial

undertakings” transport of passengers or goods by sea (§ 1). No specific definition of the term “vessel” is given.

*Finland.* — § 86 of the Seamen’s Act of 8 March 1924<sup>1</sup> provides that the Act shall not apply to vessels belonging to the State which are used for purposes of defence or to to vessels on which only persons belonging to the owner’s family are employed.

*Great Britain.* — The Employment of Women and Children Act, 1920, reproduces in Part IV of the Schedule the text of Article 1 of the Convention<sup>2</sup>. In addition, by § 4 of the Act “the expression ‘ship’ means any sea-going ship or boat of any description which is registered in the United Kingdom as a British ship and includes any British fishing boat entered in the fishing boat register.”

*Greece.* — The Legislative Decree of 7 October 1925 relating to the ratification of the Convention contains the text of the Convention.

*Irish Free State.* — The Employment of Women and Children Act, 1920, repro-

<sup>1</sup> B. B., Vol. XIII, 1918, p. 27.

<sup>2</sup> L. S., 1923, Den. 2.

<sup>3</sup> L. S., 1924, Est. 1.

<sup>1</sup> L. S., 1924, Fin 1.

<sup>2</sup> L. S., 1920, G. B. 9.



duces in Part IV of the Schedule the text of Article 1 of the Convention<sup>1</sup>.

*Japan.* — The Act of 29 March 1923 concerning the minimum age and health certificate for seamen<sup>2</sup> applies to "seamen on vessels making coasting or longer voyages, except in the cases specified by Imperial Order" (§ 1) and includes, except for the penal provisions, "cases where a foreign State, a prefecture, a city, town, village or any similar body, is the employer" (§ 10). The Imperial Order of 19 November 1923<sup>3</sup> exempts from the minimum age provisions of the Act of 29 March 1923 "seamen on vessels engaged in fishing, or on those whose total tonnage is less than 30 tons, or whose capacity is below 300 koku<sup>4</sup>."

*Netherlands.* — § 1 of the Decree No. 555 of 19 December 1924<sup>5</sup>, issued in pursuance of §§ 71 and 92 of the Labour Act 1919, defines "vessel" for the purposes of the Decree as a "vessel engaged in maritime navigation (exclusive of sea fishing)".

*Poland.* — The Act of 2 July 1924 relating to the employment of women and young persons<sup>6</sup> fixes, in accordance with the Constitution of 17 March 1921, the minimum age for employment in any paid work, including employment at sea.

*Spain.* — The term "vessel" is not specifically defined in the sections of the Labour Code in which the provisions of the Regulations of 26 March 1925<sup>7</sup>, under which the Convention is applied, have been included, but these sections only cover "merchant vessels."

*Sweden.* — § 70 of the Maritime Code and § 10 of the Seamen's Act of 15 June 1922<sup>8</sup> use the terms "steamers" and "vessels" without specific definition.

#### ARTICLE 2 of the Convention is as follows:

Children under the age of fourteen years shall not be employed or work on vessels, other than vessels upon which only members of the same family are employed.

*Belgium.* — The Belgian Government reports that it is customary to follow in the mercantile marine and fishing industry the rules regarding the minimum age for the admission of children to employment laid down for industry in the Acts of

13 December 1889, 10 August 1911 and 26 May 1914 as amended by the Act of 14 June 1921. The Belgian shipping officers and consuls supervise the enforcement of these rules and refuse to allow children under fourteen years of age to be signed on.

*Bulgaria.* — § 15 (2) of the Act respecting the health and safety of workers prohibits, in general terms, the employment of young persons under eighteen years of age on steamers. The report further states that "the above provisions of the Act respecting the health and safety of workers have been completed by the Regulations respecting the crews of the vessels of the Bulgarian Navigation Company; these regulations are uniform for all Bulgaria, and in § 3 (a) it is laid down that members of the crew must have attained the age of twenty-one years. This amendment has become compulsory as a result of the modified technical conditions under which the Company is obliged to work since the war."

*Denmark.* — § 10 of the Seamen's Act of 1 May 1923 provides that "children under fourteen years of age shall not be employed on board ship."

*Estonia.* — § 2 of the Employment of Children, Young Persons and Women Act provides that children under the age of fourteen years may not be employed or work in any public or private industrial undertaking, or in any branch thereof. The expression "industrial undertaking" is defined in § 1 to include transport of passengers and goods by sea. No reference is made to the exception for vessels on which only the members of the same family are employed.

*Finland.* — § 10 of the Seamen's Act provides that boys under fourteen and girls under eighteen years of age shall not be employed on board ship. The Act does not cover vessels on which only persons belonging to the owner's family are employed.

*Great Britain.* — § 1 (2) of the Act of 1920 provides that "no child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention set out in Part IV of the Schedule to this Act."

*Greece.* — The Legislative Decree of 7 October 1925 relating to the ratification of the Convention contains the text of the Convention.

*Irish Free State.* — § 1 (2) of the Act of 1920 provides that "no child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the

<sup>1</sup> L. S., 1920, G. B. 9.

<sup>2</sup> L. S., 1923, Jap. 3.

<sup>3</sup> L. S., 1923, Jap. 4.

<sup>4</sup> A koku equals 4.9629 bushels or 39.7033 gallons.

<sup>5</sup> L. S., 1924, Neth. 5.

<sup>6</sup> L. S., 1924, Pol. 2.

<sup>7</sup> L. S., 1925, Sp. 1.

<sup>8</sup> L. S., 1922, Swe. 1.

Convention set out in Part IV of the Schedule to this Act."

*Japan.* — § 2 of the Act of 29 March 1923 lays down that "persons under fourteen years of age shall not be employed as seamen." This prohibition does not apply to vessels on which only members of the same family are employed.

*Netherlands.* — The employment of children at sea was already prohibited by § 9 of the Labour Act of 1 November 1919. § 92 of this Act, however, provided that the minimum age fixed should not apply to work on ships or fishing vessels carried on by relatives of the master to the third degree of consanguinity living on board the vessel, except in the cases indicated by general administrative regulations. Under this last provision of § 92 and under § 71 of the same Act providing for the issue of general administrative regulations in certain cases a Decree was issued on 19 December 1924 respecting the employment of young persons on board vessels engaged in maritime navigation, exclusive of sea fishing, § 1 of which prohibits the employment of children under the age of fourteen years on board vessels as defined other than vessels upon which only members of the same family are employed.

*Poland.* — § 5 of the Employment of Women and Young Persons Act provides that "children under fifteen years of age shall not be employed for remuneration." This Act has been supplemented by a Decree of 31 December 1924<sup>1</sup> relating to the school attendance of young persons.

*Spain.* — § 37 of the Labour Code of 23 August 1926 provides that children under fourteen years of age may not be inscribed on the muster roll.

*Sweden.* — § 10 of the Seamen's Act of 15 June 1922 provides that "children under fourteen years of age shall not be employed on board ship."

*ARTICLE 3 of the Convention is as follows:*

The provisions of Article 2 shall not apply to work done by children on school-ships or training-ships, provided that such work is approved and supervised by public authority.

*Belgium.* — The Royal Order of 28 February 1919, the provisions of which are observed in the mercantile marine and fishing industry, lays down in § 3 that the prohibition of the employment of children under the age of fourteen years shall not apply to technical schools provided that the organisation is approved and supervised by the competent public authority.

<sup>1</sup> L. S., 1924, Pol. 9.

*Bulgaria.* — This exception is not provided for in the Act of 1917 or the Regulations of the Bulgarian Navigation Company.

*Denmark.* — No reference is made to this exception in the Act of 1 May 1923.

*Estonia.* — § 3 of the Employment of Children, Young Persons and Women Act provides that the prohibition contained in § 2 is not to apply to the work of children in trade schools. The rules and conditions of employment in these schools are to be laid down by the Minister of Education in agreement with the Minister of Labour and Social Welfare.

*Finland.* — § 10, third paragraph, of the Act of 8 March 1924 provides that the prohibition of the employment of boys under fourteen years of age on board ship shall not apply to training or practice vessels on which the work is approved and supervised by a public authority.

*Great Britain.* — § 1 (2) of the Employment of Women, Young Persons and Children Act, 1920, prohibits the employment of children in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention.

*Greece.* — The Legislative Decree of 7 October 1925 relating to the ratification of the Convention contains the text of the Convention.

*Irish Free State.* — § 1 (2) of the Employment of Women, Young Persons and Children Act, 1920, prohibits the employment of children in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention.

*Japan.* — In the Act of 29 March 1923 the provisions regulating the age of admission to employment at sea do not apply to the "employment of children on training vessels with the approval of the administrative authorities."

*Netherlands.* — The Labour Act of 1919 does not apply to work in technical and trade schools when carried on by the staff and pupils of those schools or to work in state educational institutions or in reformatory and similar schools when carried on by staff and inmates (§ 88).

*Poland.* — This exception is not provided for in the Act of 2 July 1924.

*Spain.* — No reference is made to this exception in the relevant provisions of the Labour Code, but these provisions only apply to merchant vessels.



*Sweden.* — No reference is made to this exception in the Maritime Code or the Act of 15 June 1922.

*ARTICLE 4 of the Convention is as follows:*

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

*Belgium.* — The Belgian Government reports that on Belgian ships a register is kept in which is stated the date of birth of all seamen employed.

*Bulgaria.* — No provisions equivalent to those of this Article are contained in the legislation cited in the reports. See, however, under ARTICLE 2.

*Denmark.* — Under § 1 of the Act of 26 February 1872, relating to the engagement and discharge of crews, a master of a Danish ship who, while in a Danish port, engages a new crew, or one or more new members of the crew, must cause the changes to be inscribed by the registration officer on the muster roll before the ship sails. Provision is also made for the periodical inspection of the muster roll whilst the vessel is in Danish waters and for inspection at the first Danish port of call on return from a voyage during which new members of the crew have been engaged.

*Estonia.* — § 21 of the Employment of Children, Young Persons and Women Act provides that the head of every industrial undertaking is to keep a register showing the date of birth of all persons under eighteen years of age employed by him.

*Finland.* — § 11 of the Seamen's Act of 8 March 1924 provides that seamen shall be furnished by the captain with a wages book drawn up in accordance with the form prescribed by the Shipping Board, which book shall contain the date of the seaman's birth.

*Great Britain.* — Besides reproducing this Article of the Convention the Employment of Women, Young Persons and Children Act, 1920, provides in § 1 (5) that "there shall be included in every agreement with the crew entered into under the Merchant Shipping Act, 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of

the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection."

*Greece.* — The Legislative Decree of 7 October 1925 relating to the ratification of the Convention contains the text of the Convention.

*Irish Free State.* — Besides reproducing this Article of the Convention the Employment of Women, Young Persons and Children Act, 1920, provides in § 1 (5) that "there shall be included in every agreement with the crew entered into under the Merchant Shipping Act, 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection."

*Japan.* — § 4 of the Act of 29 March 1923 stipulates that "in cases when persons under eighteen years of age are employed as seamen, the captain shall draw up a register containing their names, addresses and dates of birth, and keep it in the vessel, provided that in respect of persons over sixteen years of age the drawing up of such register may be dispensed with by Imperial Order." The Imperial Order of 19 November 1923 grants this dispensation "as regards seamen over sixteen years of age on vessels engaged in fishing or on those whose total tonnage is less than 20 tons, or whose capacity is below 200 koku."

*Netherlands.* — § 2 of the Decree of 19 December 1924 provides that an employment register shall be kept on board every vessel as defined on which one or more young persons (i. e. persons under eighteen years of age) are employed. The surname, forename and date of birth of every such person shall be entered therein. The Minister of Labour, Commerce and Industry is to prescribe the form for this employment register.

*Poland.* — § 11 of the Employment of Women and Young Persons Act provides that every employer who employs young persons (i. e. persons between fifteen and eighteen years of age) "shall keep a register of the said young persons in accordance with a model prescribed by the Minister of Labour and Social Welfare," which register is open to the examination of the factory inspection authorities. "Further,

in establishments where young persons are employed, a list of the said young persons shall be affixed in a conspicuous place, showing their hours of beginning and ending work, their breaks, and the nature of their employment." A Decree of 14 December 1924<sup>1</sup> supplementing the Act of 2 July 1924, prescribes the form in which the registers of young persons required by § 11 of the Act are to be kept.

*Spain.* — § 35 (2) of the Labour Code provides that the articles of agreement shall mention the date of birth of every person under eighteen years of age.

*Sweden.* — The report states that "§§ 36 and 51 of the Royal Order of 13 July 1911 concerning shipping offices and the engagement and discharge of seamen, etc., contain provisions which as regards date of birth are in conformity with those of Article 4 of the Convention." The Royal Decree of 22 December 1922 amending certain portions of this Order has been issued in order to conform more completely to the stipulations regarding the registration of the age of minors employed on board ship.

### III. Enforcement of legislation.

*Belgium.* — The Government reports that in Belgium the shipping officers and abroad the Belgian consuls are entrusted with the supervision of the execution of the provisions of the Convention.

*Bulgaria.* — "Factory inspectors acting under supervision of the Governing Body of the (Navigation) Company and the directors" are responsible for supervising the execution of the provisions of the laws and regulations. The Act respecting the health and safety of workers provides for inspection, and for penalties in case of contravention. In addition § 41 of the Regulations with regard to the Navigation Company (which controls the whole of Bulgarian shipping) provides penalties for breaches of the Act ranging from reprimand to dismissal. These penalties are applied by the Governing Body of the Company upon the results of an enquiry made by its directors.

*Denmark.* — The supervision of the application of the relevant legislation is entrusted to the registration officers. § 13 of the Act of 26 February 1872 provides that the registration officer, when inscribing changes in the crew on the muster roll of a ship, must verify the exactitude of the roll and see that the legislative provisions in force have not been contravened by the

master. Penalties for contravention of the Seamen's Act, 1923, are provided in § 75; in cases of contravention the shipowner or master is liable to a fine of not less than 10 and not more than 1000 kr.

*Estonia.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Finland.* — The Order of 23 December 1924 respecting the signing on and off of the crews of vessels<sup>1</sup> provides that when the crew of a Finnish vessel is signed on in Finland it shall be seen that the legal provisions in force respecting the employment of young persons on board ship are not contravened. The signing on of the crew is effected under the supervision of a special registration officer appointed by the Shipping Board. When a crew is signed on outside Finland the same precautions are required to be taken by the Finnish Consul or, if there is no Finnish Consul in the port, by the Finnish Consul first encountered during the voyage or by the competent authority at the place where the vessel is lying. With regard to penalties, the captain or his representative who employs a child contrary to the provisions of the Seamen's Act is liable to a fine. The shipowner is liable to the same penalties if the offence is committed with his knowledge and consent. Lastly, if the employment of a young person takes place with the knowledge and consent of the father or guardian, the said father or guardian is also liable to a fine (§ 73).

*Great Britain.* — The application of the law is supervised by officers of the Board of Trade. As regards penalties, § 1 (6) *b* of the Act of 1920 provides that "if any child is employed in any ship in contravention of this Act, the master of the ship shall be liable for each offence to a fine not exceeding forty shillings, or, in the case of a second or subsequent offence, not exceeding five pounds, and where a child is taken into employment in any ship in contravention of this Act on the production, by or with the privity of the parent, of a false or forged certificate or on the false representation of his parent that the child is of an age at which employment is not in contravention of this Act, that parent shall be liable on summary conviction to a fine not exceeding forty shillings"; § 1 (6) *c* and *d* provide penalties not exceeding twenty pounds for offences against the provisions of the Act relating to the register required by Article 4 of the Convention.

*Greece.* — § 2 of the Legislative Decree of 7 October 1925 relating to the ratification of the Convention provides that the

<sup>1</sup> L. S., 1924, Pol. 9.

<sup>1</sup> L. S., 1924, Fin. 4.



infringement of any of the provisions of the Convention constitutes a serious offence against discipline within the meaning of §§ 84 and following of the Penal and Disciplinary Code for the Mercantile Marine of 13 December 1923<sup>1</sup> and is liable to the penalties detailed therein. The supervision of the application of the Convention is within the jurisdiction of the Seamen's and Port Authorities' Section of the Mercantile Marine Department.

*Irish Free State.* — The Government reports that the Transport and Marine Branch of the Department of Industry and Commerce is the authority to which the application of the legislation is entrusted. In the case of foreign-going ships the Superintendents of the Mercantile Marine Offices insure that the provisions of the Act are observed when crews are signing on. In the case of home trade vessels where half-yearly agreements are attained, the necessary particulars in regard to young persons are set out in a special portion of the agreement provided for that purpose.

*Japan.* — The application of the Act of 29 March 1923 and of the Ordinance and Regulations for its enforcement is entrusted to the Department of Communications, to its local offices (the regional bureaux of communications) and to the sea-coast cities, towns and villages specially designated by the Minister of Communications. In accordance with § 5 of the Act of 29 March 1923, vessels are open to inspection by any competent official provided with official credentials. Contraventions of the prohibition of the employment of children are punishable by fines of not exceeding 1,000 yen and offences connected with the keeping of registers and inspection by fines of not exceeding 500 yen.

*Netherlands.* — The Minister of Labour, Commerce and Industry is responsible for the administration of the Decree of 19 December 1924. The method of administration is that laid down in the Labour Code of 1 November 1919 and summarised in connection with the *Convention concerning the night work of young persons employed in industry*.

*Poland.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to industrial employment*.

*Spain.* — The supervision of the application of the legislation in force devolves upon the maritime authorities, i.e. the local navigation authorities and the port authorities. § 36 of the Labour Code provides that port authorities or consuls

shall not issue any ship's articles unless all the members of the crew have been engaged in accordance with the law. Further, § 38 prescribes that if the captain or master of a vessel sails with any person who is to render service on board but whom he has not duly signed on, and fails to remedy the omission at the first port of call, he shall be liable to fines varying according to the tonnage of the vessel from 5 to 100 pesetas.

*Sweden.* — The authorities supervising the application of this Convention are the maritime inspectors and the commissioners of shipping offices, Swedish Consuls abroad, and the Social Board in its capacity of chief authority for the inspection of labour. The Maritime Act of 1914 provides for the organisation and powers of maritime inspectors. Inspection of vessels may take place at all times, provided previous notice has been given, and measures for the proper enrolment of seamen, the keeping of registers, ship's articles and of a control-book containing particulars as to persons employed, are enforced by the various maritime authorities above-mentioned. Inspectors may cause prosecutions to be initiated against employers contravening the law, placing the available evidence at the disposal of the public prosecutor. § 73 of the Seamen's Act provides that "the captain or his representative shall be liable to a fine in the following cases: (1) If he employs a child under fourteen years of age on board ship..." The shipowner is liable to the same penalties. Under this section "if the employment of the child or young person takes place with the knowledge and consent of the father or guardian, the said father or guardian shall also be liable to a fine not exceeding 50 kronor."

#### IV. *Application to colonies, etc.*

*Belgium.* — The Government reports that the Convention has been ratified subject to the Government's right to decide later whether it shall be applied to the natives of the *Belgian Congo* and territories under Belgian mandate. The Bill concerning the regulation of seamen's articles of agreement which was submitted to Parliament on 22 July 1926 extends the application of the provisions of the Convention to native young persons belonging to the *Belgian Congo* and to territories placed under Belgian mandate who are employed on board Belgian vessels.

*Denmark.* — The Government specified at the time of ratification that ratification did not include *Greenland*.

*Great Britain.* — The British Government reports that the Convention has been ap-

<sup>1</sup> L. S., 1923, Gr. 5 (B).

plied in *Ceylon*, and, with modifications, in the *Gold Coast*. In all other British colonies, etc. it is considered inapplicable.

*Japan*. — The Government states that the Convention has not yet been applied to colonies, etc.

*Netherlands*. — An Ordinance applying the Convention with modifications in the *Netherlands East Indies* was issued on 27 February 1926 (*Staatsblad* 1926, No. 87) and came into force on 1 May 1926. § 2 of this Ordinance provides that children under twelve years of age may not be employed on board any ship (defined as a ship or boat of 500 or more cubic metres gross registered in the *Netherlands East Indies*, or a sea-going ship or boat belonging to a public authority other than a war-ship) unless such employment is under the control of the father or a relative to the third degree inclusive. The names and dates of birth of all children under sixteen years of age must by § 4 be entered on the muster roll or in a register. As regards *Surinam* and *Curaçao*, it is reported that children are not employed on ships of those provinces.

*Spain*. — The report for 1925 stated that the Regulations approved by Royal Decree of 26 March 1925, now incorporated in the Labour Code, applied without modification to all territories under Spanish sovereignty.

The question does not arise in the case of *Bulgaria*, *Estonia*, *Finland*, *Irish Free State*, *Poland* and *Sweden*.

#### **Convention concerning unemployment indemnity in case of loss or foundering of the ship.**

##### **I**

This Convention came into force on 16 March 1923. Reports have been received in respect of the year ended 31 December 1926 from *Belgium*, *Bulgaria*, *Estonia*, *Greece*, *Italy*, *Poland* and *Spain*.

The *Belgian* Government reports that the provisions of this Convention will require an amendment to § 99 of Book II of the Commercial Code. In the Bill concerning the regulation of seamen's articles of agreement, which was submitted to Parliament on 22 July 1926, a clause has therefore been

introduced to meet the requirements of the Convention. This clause will replace § 99 as at present drafted. The Government adds that, as Parliament has ratified the Convention, it has already legal effect in *Belgium*.

The Government of *Estonia* reports that a special Committee in connection with the Ministry of Justice has been instructed to draft a Maritime Code which shall contain, *inter alia*, provisions to give effect to this Convention.

The report of the *Greek* Government states that the Convention was given effect by the Legislative Decree of 7 October 1925 relating to the ratification of the Convention. This Decree contains the text of the Convention as well as special provisions relating to its application. See also the introductory note to the *Hours Convention*.

The report of the *Italian* Government<sup>1</sup> states: "As was pointed out in the preceding report, Italian legislation contains various provisions relating to the principles laid down in the Convention in question, i.e.: (a) the benefit in case of shipwreck provided for in § 39 of the Legislative Decree of 26 October 1919; (b) the ordinary daily benefit which is paid to the unemployed in general, in accordance with the Royal Decree of 30 December 1923 (No. 3158)<sup>1</sup>; (c) the right of the seaman to repatriation and the payment of wages and board from the time of the wreck of the ship to the day of arrival in the port of embarkation, laid down in the last paragraph of Article 1 of the articles of agreement now in force." The report adds that the Royal Decree No. 2544 of 27 December 1925 formally made the Convention itself of legal force throughout the Kingdom.

The Government of *Poland* reports that the Ministry of Labour and Social Welfare has prepared a Bill providing for the payment by the shipowners, independently of the unemployment funds, of unemployment indemnities in case of loss or foundering of the ship. The Government considers that, in view of the fact that the size of the Polish mercantile marine is not considerable and that so far no accident covered by the Convention has occurred, it is preferable not to modify the general system of unemployment insurance in order to make provision for the full application of the Convention but to pass a special Act.

The Government of *Spain* reports that the Regulations of 26 March 1925, under which the Convention was applied, have been included in the Labour Code promul-

<sup>1</sup> L. S., 1923, It. 10.



gated on 23 August 1926. The sections of the Regulations relating to the provisions of the Convention have become §§ 43 and 51 of the Code.

The following table shows the countries which have ratified the Convention and are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Belgium . . . . .	4.	2.	1925	4.	2.	1925 <sup>1</sup>	18.	2.	1927
Bulgaria . . . . .	16.	3.	1923	1.	1.	1926 <sup>2</sup>	19.	3.	1927
Estonia . . . . .	3.	3.	1923	— <sup>3</sup>			7.	2.	1927
Greece . . . . .	16.	12.	1925	16.	12.	1925 <sup>4</sup>	26.	2.	1927
Italy . . . . .	8.	9.	1924	8.	9.	1924 <sup>5</sup>	19.	3.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>6</sup>	18.	3.	1927
Spain . . . . .	20.	6.	1924	14.	4.	1925 <sup>7</sup>	13.	4.	1927

<sup>1</sup> The Convention came into force in Belgium on 16 September 1924. See also the introductory note above.  
<sup>2</sup> The date on which the Act of 12 April 1925 respecting employment exchanges and unemployment insurance came into force.  
<sup>3</sup> See the introductory note above.  
<sup>4</sup> The report states that the provisions of the Convention have been applied since 7 October 1925.

<sup>5</sup> A Royal Decree of 27 December 1925 ordered that the Convention should be given full and complete effect in Italy.  
<sup>6</sup> The report states that the provisions of the Convention came into effect on 23 January 1924.  
<sup>7</sup> Date of coming into force of the Royal Decree of 26 March 1925.

II. Legislation.

ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term "seamen" includes all persons employed on any vessel engaged in maritime navigation.  
For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

Belgium. — See introductory statement.

Bulgaria. — The terms "seamen" and "vessel" are used without special definition in the Act respecting employment exchanges and unemployment insurance of 12 April 1925 <sup>1</sup>.

Greece. — The Legislative Decree of 7 October 1925 relating to the ratification of the Convention provides in § 2 that the obligation to pay the indemnity prescribed in the Convention shall be binding on all owners of steam vessels, but, as regards sailing vessels, only upon such owners as receive insurance compensation of any kind in respect of the loss or foundering of the vessel.

Italy. — Of the legislation mentioned in the report, § 13 of the Legislative Decree of 26 October 1919 respecting the institution of an invalidity fund for the mercantile marine defines "seamen", for the purposes of compulsory contribution to the fund, as

members of the crews of ships which are furnished with ship's articles without regard to nationality or age, persons who serve on vessels navigating in ports or harbours provided that they are registered as seamen of the first class, and pilots. § 12 of the Decree defines "vessel", for the purposes of the Decree, as ships furnished with ship's articles in accordance with the Maritime Code, boats navigating in ports or harbours even if they are not furnished with ship's articles but provided that they are equipped with the means of mechanical propulsion and that the crews have written contracts, and pilot boats even if they are not furnished with ship's articles.

Poland. — The Unemployment Insurance Act of 18 July 1924 <sup>1</sup>, under which the Convention is at present applied, contains no special provisions relating to seamen.

Spain. — § 28 of the Labour Code, in which the provisions of the Regulations respecting the engagement of crews for merchant vessels approved by the Royal Decree of 26 March 1925 <sup>2</sup> have been included, defines the "members of the crew" as "seamen, stokers, artisans, doctor's assistants (*practicantes*), sick room attendants, stewards and persons who perform manual duties of any kind on the vessel." The term "vessel" is not specifically defined, but these provisions only apply to merchant vessels.

<sup>1</sup> L. S., 1925, Bulg. 2.  
<sup>2</sup> L. S., 1925, Sp. 1.

ARTICLE 2 of the Convention is as follows:

In every case of loss or foundering of any vessel, the owner or person with whom the seaman has contracted for service on board the vessel shall pay to each seaman employed thereon an indemnity against unemployment resulting from such loss or foundering.

This indemnity shall be paid for the days during which the seaman remains in fact unemployed at the same rate as the wages payable under the contract, but the total indemnity payable under this Convention to any one seaman may be limited to two months' wages.

*Belgium.* — See introductory statement. The Government reports that the indemnity payable to any one seaman is limited to two months' wages.

*Bulgaria.* — The Act respecting employment exchanges and unemployment insurance of 12 April 1925 provides in § 30 (b) that among the persons liable to insurance against involuntary unemployment shall be "seamen (against both ordinary unemployment and unemployment due to loss of the vessel). In the latter case the insurance benefit, amounting to twice the monthly wage of the seaman as from the date of the loss of the vessel, shall be paid directly to him by the shipowner."

*Greece.* — The Legislative Decree of 7 October 1925 relating to the ratification of the Convention provides in § 2 (3) that the indemnity shall not exceed two months' wages, and in § 2 (4) that, in the case of seamen not paid by the month, the pay for the purpose of calculating the indemnity shall be the amount certified as usual at the time of the engagement by the port or consular authority of the place where the seaman was engaged.

*Italy.* — The following are the provisions of the legislation cited in the report: § 39 of the Legislative Decree of 26 October 1919 provides that the members of the crews of merchant ships, including ships of foreign nationality, may be insured against the loss of their kit from shipwreck or other disaster overtaking the ship while under navigation. Persons so insured must, on embarkation, pay the insurance premium due; in addition, the subordinate staff of the crew of Italian nationality is entitled to relief, the total amount of which is fixed by regulation. In no case can the total amount of the insurance, together with the relief, be superior to the actual value of the kit. § 48 provides that the provisions of the Decree are to apply to persons of foreign nationality serving on an Italian vessel only when provision is also made in the legislation of the foreign State to which these persons belong granting equivalent benefits to Italians employed on their ships, or when agreements for reciprocity have been made by duly signed conventions. The model articles of agreement in § 1 state that in case of shipwreck the seamen is entitled

to repatriation and to wages and keep up to the day of his arrival in the port in which he signed on. Further, the provisions of the Royal Decree of 30 December 1923 apply also to seamen. This Decree makes insurance against involuntary unemployment compulsory for all persons of both sexes, irrespective of their nationality, between fifteen and sixty-five years of age, who are employed on account of another. The report states that no measures have been taken to limit the total indemnity payable to any seaman to two months' wages.

*Poland.* — At present, if seamen were to be thrown out of employment in consequence of shipwreck, they would receive the ordinary unemployment benefits provided by the Unemployment Insurance Act of 18 July 1924.

*Spain.* — § 51 of the Labour Code provides that "if the vessel is lost by shipwreck, all members of the crew shall be entitled by way of compensation to draw their wages or salary for a period not exceeding two months if they are out of employment for this reason."

ARTICLE 3 of the Convention is as follows:

Seamen shall have the same remedies for recovering such indemnities as they have for recovering arrears of wages earned during the service.

*Belgium.* — See introductory statement.

*Bulgaria.* — No equivalent provisions are contained in the Act of 12 April 1925.

*Greece.* — The Legislative Decree of 7 October 1925, relating to the ratification of the Convention, contains the text of the Convention itself. Moreover, in § 2 it is expressly stipulated that the obligation to pay the indemnities in question is binding upon all owners of steam vessels, and, in certain circumstances, upon owners of sailing vessels.

*Italy.* — No equivalent provisions are contained in the legislation cited in the report.

*Poland.* — See introductory statement.

*Spain.* — § 51 of the Labour Code provides that the unemployment indemnity in case of shipwreck shall have the same preference as wages and salaries under § 43 of the Code, and that the shipowner shall not be entitled to claim reimbursement of sums advanced. § 43 stipulates that the wages and salaries due to the members of the ship's company shall be a preferential charge on the vessel together with its engines, apparel and freight. When the



crew is engaged on a profit-sharing basis, the wages and salaries shall be a charge on the freight only.

### III. Enforcement of legislation.

*Belgium.* — The shipping officers, and abroad the Belgian consuls, are entrusted with the supervision of the execution of the provisions of the Convention.

*Bulgaria.* — The application of the Act of 12 April 1925 is supervised by the labour inspectors. Contraventions are punishable by fines not exceeding 5,000 levas or, in case of repetition of the offence, 10,000 levas. See also the analysis of the report on the *Convention concerning employment of women during the night*.

*Greece.* — The enforcement of the Legislative Decree of 7 October 1925 relating to the ratification of the Convention is vested in the labour inspectors, the civil courts, and the criminal court which, under § 2 (3) of the Royal Decree of 24 July 1920 codifying the laws relating to the payment of the wages of workers, employees and domestic servants, may punish infringements of the provisions of the Legislative Decree by imprisonment not exceeding two months, or by a fine, at the instance of the worker concerned, of a police authority, or of the workers' organisation concerned.

*Italy.* — The supervision of the application of the legislative provisions in question falls to the Ministries for Communications and of National Economy which carry out this supervision through the bodies subordinate to them.

*Poland.* — The application of the Unemployment Insurance Act is supervised by the local unemployment fund committees attached to the public employment exchanges, the central general committee under the control of the Minister of Labour and Social Welfare, the Directorate of the Unemployment Insurance Fund, and the Minister himself.

*Spain.* — The maritime authorities, i.e., the local directors of shipping and the port authority, are entrusted with the enforcement of the provisions of the Labour Code respecting the engagement of crews for merchant vessels.

### IV. Application to colonies, etc.

*Belgium.* — The Government states that the Convention has been ratified subject to the right of the Government to decide later whether it shall be applied in the *Belgian Congo* and in the territories under

Belgian mandate. The benefits provided for by the Convention will be extended by the Bill concerning the regulation of seamen's articles of agreement which was submitted to Parliament on 22 July 1926 to natives of the *Belgian Congo* engaged on board Belgian vessels.

*Italy.* — The report contains no information on this subject.

*Spain.* — The Government reported in 1925 that the Regulations respecting the engagement of crews for merchant vessels, approved by the Royal Decree of 26 March 1925, now incorporated in the Labour Code, applied generally and without modifications throughout all the territories under Spanish sovereignty.

The question does not arise in the case of *Bulgaria, Estonia, Greece and Poland*.

### Convention for establishing facilities for finding employment for seamen.

#### I.

This Convention first came into force on 23 November 1921. Reports have been received in respect of the year ended 31 December 1926 from *Austria, Belgium, Bulgaria, Estonia, Finland, Germany, Greece, Italy, Japan, Norway, Poland and Sweden*.

The Government of *Belgium* reports the business of finding employment for seamen for pecuniary gain has been suppressed in Belgium for many years. All the provisions of the Convention are observed in practice; but in order to embody them in national legislation, they have been included in the Bill concerning the regulation of seamen's articles of agreement which was submitted to Parliament on 22 July 1926. However, so as not to delay the complete application of the Convention until this Bill has been passed, a Joint Maritime Recruitment Committee, in accordance with Article 5 of the Convention, was set up by Royal Order of 20 January 1926<sup>1</sup>.

In *Finland* the finding of employment for seamen is regulated by Acts and Orders

<sup>1</sup> L. S., 1926, Bel. 11

applying equally to other workers. The Order of 2 November 1917 has, however, been replaced by an Employment Exchanges Act of 27 March 1926<sup>1</sup> which makes special provision regarding the organisation of the finding of employment for seamen (see under ARTICLES 4 and 5). Further, the Resolution of the Council of State of 9 July 1919 concerning the supervision of employment exchanges and the organisation of cooperation between communal and other agencies has been replaced by a Decision of the Council of State of 22 April 1926<sup>1</sup> relating to the supervision of employment exchanges and the subsidies to be granted to employment exchanges and agents. These measures came into force on 1 January 1927.

The report of the *Greek* Government states that the Convention was given effect by the Legislative Decree of 7 October 1925 relating to the ratification of the Con-

vention. This Legislative Decree contains the text of the Convention and certain provisions relating to penalties, and provides in § 3 that the date of coming into force and details of application should be regulated by special Decree. The Decree relating to the details of application of the Convention was issued and came into force on 30 October 1926.

In *Poland* the finding of employment for seamen is regulated by the same Acts and Orders as apply to the finding of employment for other workers. The Government, however, reports that a Bill concerning conditions of service in the Polish mercantile marine is being prepared and that the provisions of this Bill have been adapted to those of the Conventions ratified by Poland.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408 :

<sup>1</sup> L. S., 1926, Fin. 1.

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Australia . . . . .	3.	8.	1925	3.	8.	1925 <sup>1</sup>	15.	2.	1927
Belgium . . . . .	4.	2.	1925	4.	2.	1925 <sup>2</sup>	18.	2.	1927
Bulgaria . . . . .	16.	3.	1923	1.	1.	1926 <sup>3</sup>	19.	3.	1927
Estonia . . . . .	3.	3.	1923	3.	3.	1923 <sup>4</sup>	7.	2.	1927
Finland . . . . .	7.	10.	1922	7.	10.	1922 <sup>5</sup>	21.	2.	1927
Germany . . . . .	6.	6.	1925	6.	6.	1925	21.	2.	1927
Greece . . . . .	16.	12.	1925	30.	10.	1926 <sup>6</sup>	26.	2.	1927
Italy . . . . .	8.	9.	1924	8.	9.	1924 <sup>7</sup>	19.	3.	1927
Japan . . . . .	23.	11.	1922	1.	12.	1922 <sup>8</sup>	1.	3.	1927
Norway . . . . .	23.	11.	1921	23.	11.	1921	12.	2.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>9</sup>	18.	3.	1927
Sweden . . . . .	27.	9.	1921	23.	11.	1921	17.	2.	1927

<sup>1</sup> The report states that the provisions of the Convention came into effect in Australia on 1 March 1922 when the provisions of §§ 28-33 of the Navigation Act were proclaimed to come into operation.

<sup>2</sup> The report states that the Convention came into force in Belgium on 16 September 1924. See also introductory note above.

<sup>3</sup> The date on which the Act of 12 April 1925 respecting employment exchanges and unemployment insurance came into force.

<sup>4</sup> The report states that the provisions of the Convention came into effect on 18 January 1923.

<sup>5</sup> The Order for the ratification was promulgated on 16 September 1922. The administrative regulations giving effect to the provisions of the Convention came into force on 1 June 1918 and 21 July 1919 respectively.

<sup>6</sup> Date of coming into force of Decree of 30 October 1926 in application of Legislative Decree of 7 October 1925.

<sup>7</sup> A Royal Decree of 27 December 1925 ordered that the Convention should be given full and complete effect in Italy.

<sup>8</sup> Except as regards Article 5 of the Convention, to which effect is given by the Imperial Ordinance No. 374, which came into operation on 27 August 1923.

<sup>9</sup> The report states that the provisions of the Convention came into force on 23 January 1924.

II. *Legislation.*

ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term "seamen" includes all persons, except officers, employed as members of the crew on vessels engaged in maritime navigation.

*Australia.* — Division 4 of Part II of the Commonwealth Navigation Act 1912-1925

relates to the finding of employment for seamen. By § 28 the Division applies to all ships, British and foreign. By § 28 A, for the purposes of the Division, the terms "seaman" and 'apprentice' include any person who is seeking employment as a seaman or apprentice (as the case may be) or who is engaged or supplied, or who is offered for engagement or supply, as a seaman or apprentice on board ship."



*Belgium.* — The term "seamen" is defined in the Royal Order of 20 January 1926 relating to the setting up of the Joint Maritime Recruitment Committee as meaning only persons belonging to subordinate ratings, excluding deck and engine-room officers.

*Bulgaria.* — The Act of 12 April 1925 respecting employment exchanges and unemployment insurance<sup>1</sup> uses the expression "seamen" without special definition.

*Estonia.* — The term "seamen" is not used in the Act of 1 August 1917 which deals with the finding of employment for workers generally.

*Finland.* — The term "seamen" is not used in the Order of 2 November 1917 respecting employment exchanges<sup>2</sup>, which relates to the placing of workers generally.

*Germany.* — § 1 of the Order of 8 November 1924 respecting seamen's employment exchanges<sup>3</sup>, issued in application of §§ 47 and 59 of the Employment Exchanges Act of 22 July 1922<sup>4</sup>, provides that "for the purposes of this Order 'seamen' shall mean all persons employed on board a vessel engaged in maritime navigation, with the exception of the ship's officers."

*Greece.* — The Decree of 30 October 1926, issued in application of the Legislative Decree of 7 October 1925, defines the term "seaman" in § 9 to mean every person engaged in the performance of services on a vessel during a voyage as his principal occupation, excluding masters, first engineers, and aliens.

*Italy.* — The Royal Legislative Decree No. 1031 of 24 May 1925<sup>5</sup> uses the term "seamen" without specific definition, but § 1 provides that the employment offices are open to seamen who are not embarked as officers or who are not employed on board in a confidential capacity.

*Japan.* — The Act No. 38 relating to seamen's employment exchanges of 11 April 1922<sup>6</sup> applies to "the work of employment exchanges for seamen embarking on vessels making coasting or longer voyages" and may be extended by Imperial Ordinance to the work of employment exchanges for other seamen.

*Norway.* — The Acts of 12 June 1896 and of 12 June 1906<sup>1</sup> apply generally and do not use the term "seamen".

*Poland.* — The finding of employment for seamen is at present regulated by the same Acts and Orders as apply to the finding of employment for other workers and the term "seamen" is not used.

*Sweden.* — The Decree of 30 June 1916<sup>2</sup>, amended by the Decree of 16 May 1918, concerning subsidies from State funds for the organisation and development of public employment offices, is of general application.

#### ARTICLE 2 of the Convention is as follows :

The business of finding employment for seamen shall not be carried on by any person, company, or other agency, as a commercial enterprise for pecuniary gain; nor shall any fees be charged directly or indirectly by any person, company or other agency, for finding employment for seamen on any ship.

The law of each country shall provide punishment for any violation of the provisions of this Article.

*Australia.* — § 32 of the Commonwealth Navigation Act provides that "no person shall demand or receive, directly or indirectly, from any person seeking employment as a seaman or apprentice, or from any person on his behalf, any remuneration whatever for providing or promising to provide him with employment," on pain of a fine of twenty-five pounds. § 29 prohibits, on pain of a fine of fifty pounds or three months' imprisonment, any person other than a superintendent, a seamen's inspector, or the owner, master, mate, or engineer of a ship from engaging or supplying, or being employed to engage or supply, a seaman or apprentice to be entered on board the ship. § 33 states that "nothing in this Division shall refer to any premium on apprenticeship charged by any shipowner."

*Belgium.* — The Government reports that the placing of seamen on Belgian ships as a commercial enterprise does not exist. The Bill concerning the regulation of seamen's articles of agreement, however, contains the provisions of the Convention and penalties are provided in the Bill for enacting a new Disciplinary and Penal Code for the Mercantile Marine, which was also submitted to Parliament on 22 July 1926.

*Bulgaria.* — The Act of 12 April 1925 provides in § 2 that the establishment of

<sup>1</sup> L. S., 1925, Bulg. 2.

<sup>2</sup> French translation in B. B. Vol. XVII, 1918, p. 38.

<sup>3</sup> L. S., 1924, Ger. 8.

<sup>4</sup> L. S., 1922, Ger. 3.

<sup>5</sup> L. S., 1925, It. 2.

<sup>6</sup> L. S., 1922, Jap. 2.

<sup>1</sup> B.B., Vol. I, 1906, p. 305.

<sup>2</sup> B.B., Vol. XI, 1916, p. 278.

private employment agencies and offices is to be prohibited, and that existing agencies and offices are to be closed within six months from the coming into force of the Act, i.e. before 30 June 1926. In cases of contravention a fine not exceeding 5000 levas may be imposed, or not exceeding 10,000 levas for the second offence.

*Estonia.* — The Government reports that the placing of seamen for gain does not exist. It does not appear, however, to be formally prohibited. As regards the public exchanges, § 13 of the Employment Exchanges Act of 1 August 1917 provides that "any member or employee of an employment exchange who receives from any person using the exchange recompense in any form whatsoever for information relating to situations vacant or for sending workers shall be liable to imprisonment up to three months."

*Finland.* — § 1 of the Employment Exchanges Order of 2 November 1917 provides that individual persons, companies, or associations may not carry on employment exchange work for gain, whilst § 12 stipulates that "any person who, in contravention of the law or in neglect of the provisions of this Order, carries on the work of finding employment shall be liable to a fine." § 13 allows the courts to decide that an association has lost its right to carry on the work of finding employment if *inter alia* "the employment exchange has made any charge for finding employment." Nevertheless the Government of Finland states that, until special seamen's sections have been organised in the employment agencies, it has not wished to prevent the few persons who still find employment for seamen as a profession in some of the principal ports from continuing to earn their living in this way. With the coming into force of the new Employment Exchanges Act on 1 January 1927, it will, however, be possible to abolish the fee-charging agencies.

*Germany.* — The Employment Exchanges Act of 22 July 1922 provides in § 48 that "the carrying on of employment agencies for gain shall be prohibited from 1 January 1931 onwards." The expression "carrying on of employment agency work for gain" includes the issue for gain of lists of vacancies, and reprints and extracts from periodical publications which must be deemed equivalent to such lists, but it does not include periodical publications such as newspapers, magazines, trade gazettes, etc.; the expression also includes "the supplying of employees whose labour the person supplying them places at the disposal of another person by way of trade for purposes of temporary employment, without

himself undertaking the equipment of the persons so placed with the requisite tools or the social insurance charges of the employer on their account." § 57 of the Act provides that a fine shall be imposed on any person who unlawfully carries on trade operations as an employment agent or works for a person acting as an employment agent for gain. A person who has already been twice convicted of this offence may, in the case of a third offence within three years of the date of the second conviction, be fined or imprisoned for not more than three months.

*Greece.* — Infringements of the provisions of Article 2 of the Convention are punishable, in virtue of § 2 of the Legislative Decree of 7 October 1925 relating to the ratification of the Convention, in accordance with § 7 of the Legislative Decree of 17 October 1923 respecting seamen's work and unions<sup>1</sup>. § 7 prohibits the carrying on or establishment of private employment agencies, and also the carrying on of employment exchange work by private persons for fees. Contraventions are punishable by imprisonment not exceeding one year. Masters or other officers engaging seamen recruited by any person, company or agency for pecuniary gain are, under § 2 of the Legislative Decree of 7 October 1925, guilty of a serious offence against discipline within the meaning of § 84 of the Penal and Disciplinary Code<sup>2</sup> and are liable to the maximum penalty therein provided for.

*Italy.* — The Royal Legislative Decree of 24 May 1925 provides in § 1 that the placing of seamen may not be carried on for pecuniary gain. § 4 provides further that "any person who, for purposes of gain, or to procure for himself or for another any direct or indirect recompense whatsoever, carries on the business of finding employment for seamen, or who in any way whatever habitually concerns himself, even indirectly, for the same purposes, with procuring or facilitating the finding of employment for seamen, shall be punished by imprisonment not exceeding one year or by a fine not exceeding 1000 lire." § 5 prescribes that the same penalties, reduced by one-third, shall be imposed on persons who are convicted of having occasionally contributed to the illegal finding of employment for seamen as defined in § 4. In virtue of § 6 the penalties must be doubled when the offence is committed in a locality in which a seamen's employment exchange exists, or when, without regard to the locality in which the act destined to lead to the placing is

<sup>1</sup> L. S., 1923, Gr. 5 (A).

<sup>2</sup> L. S., 1923, Gr. 5 (B).



committed, the placing is to take effect in a port in which an employment exchange is working. § 7 provides that when any person who commits or who is accessory to the commission of the offence referred to in §§ 4, 5 and 6 has so acted, taking advantage of his position as a public official or of his rank in the mercantile marine or of the office he holds under § 76 and following of the administrative regulations in application of the Mercantile Marine Code, he shall be punished, in addition to the imprisonment and the fine, by being suspended from his office or rank for a period not exceeding two years in the case of an offence under § 4; in the case of an offence under § 5 the judge may threaten such suspension.

*Japan.* — § 4 of the Act of 11 April 1922 prohibits persons engaged in the work of employment exchanges for seamen from receiving "fees or any material benefit or reward, under any pretext whatever." § 8 provides that "any person who contravenes the provisions either of this Act or of any Order issued thereunder, in a way which falls within the scope of either of the following clauses, shall be liable to hard labour not exceeding six months or to a fine not exceeding 500 yen : ..... (b) Any person who has carried on an employment exchange for seamen and has received or caused others to receive either fees or other material benefit as a reward for the same."

*Norway.* — No legislative provision has been made for the prohibition of fee-charging employment agencies.

*Poland.* — § 5 of the Act of 21 October 1921 respecting employment agencies carried on by way of trade<sup>1</sup> prohibits the granting of licences, without which such an occupation cannot be followed, to any person not already in possession of a permit on the date of commencement of the Act. The Government adds that, as there are no fee-charging seamen's exchanges in Poland, the situation is in accordance with the terms of the Convention.

*Sweden.* — By a Royal Letter of 31 March 1922 the Government decreed that existing licences to carry on the business of finding employment for seamen should be withdrawn and that new licences should not be granted.

#### ARTICLE 3 of the Convention is as follows :

Notwithstanding the provisions of Article 2, any person, company or agency, which has been carrying on the work of finding employment for

seamen as a commercial enterprise for pecuniary gain, may be permitted to continue temporarily under Government licence, provided that such work is carried on under Government inspection and supervision, so as to safeguard the rights of all concerned.

Each Member which ratifies this Convention agrees to take all practicable measures to abolish the practice of finding employment for seamen as a commercial enterprise for pecuniary gain as soon as possible.

*Australia.* — The Government reports that the provisions of the Navigation Act have been strictly enforced since they were brought into operation. No permits have been issued for the temporary continuance of the work of finding employment for seamen as a commercial enterprise for pecuniary gain.

*Belgium.* — The Government reports that the work of finding employment for seamen for Belgian ships is not carried on as a commercial enterprise.

*Bulgaria.* — The Act of 12 April 1925 prohibits the finding of employment as a commercial enterprise.

*Estonia.* — The Government reports that there are no agencies for finding employment for seamen which are carried on for purpose of gain.

*Finland.* — See under ARTICLE 2 above.

*Germany.* — § 48 of the Employment Exchanges Act of 22 July 1922 provides that "the carrying on of employment agencies for gain shall be prohibited from 1 January 1931 onwards. On this date the permits issued for the carrying on of employment agency work for gain shall expire. Suitable compensation, the amount of which shall be fixed by a special Act, shall be granted to employment agents who are carrying on their trade under an official permit at this date, and have been carrying it on since 2 June 1910. From the date when this Act comes into operation, no new permits shall be issued for the trade operations of employment agents, nor shall existing permits be extended or transferred." The Federal Minister of Labour may authorise exceptions to these provisions, or prohibit fee-charging agencies in particular occupations before 31 December 1930. Meanwhile, these agencies remain subject to the provisions of the Act of 2 June 1910 relating to employment agents<sup>1</sup>, which regulates their activities.

*Greece.* — The prohibition of fee-charging agencies is absolute under the Legislative Decree of 7 October 1925.

*Italy.* — The report states that no permission has been granted allowing even

<sup>1</sup> L. S., 1921 (Part II), Pol. 1

<sup>1</sup> B.B., Vol. V, 1910, p. 171.



temporarily the work of finding employment for seamen to be carried on as a commercial enterprise for pecuniary gain.

*Japan.* — Under a supplementary provision of the Act of 11 April 1922 persons who were carrying on employment agencies on a fee-charging basis or for pecuniary gain were allowed to continue such work temporarily under conditions prescribed by Order No. 65 of the Department of Communications dated 18 November 1922. The permits issued under this Order by the Department and Regional Bureaux of Communications are valid for less than one year, though they may be prolonged. The Government states that it is endeavouring to abolish these fee-charging agencies entirely within as short a time as possible.

*Norway.* — The Act of 12 June 1896 permits the operation of private fee-charging agencies but only under municipal authorisation which (according to the Act of 12 June 1906) may not be given without the consent of the Minister for Social Affairs. The Royal Decree of 20 June 1896 (§ 7) also provides for the control of these agencies by the police authorities, who have power to inspect the premises and all such registers, testimonials and other documents as must be kept by them. No licences for new fee-charging employment agencies were granted during the period under review.

*Poland.* — The Act of 21 October 1921 provides for the licensing and control of agencies carried on by way of trade. Permits may be refused or cancelled by reason of the conduct of the agent or of the existence of other, especially State, free employment exchanges in the locality in question; on the other hand, no new permits may be granted. Since at the date of coming into force of the Act there were no fee-charging agencies for seamen, it follows that advantage is not taken of the provisions of Article 3.

*Sweden.* — The business of finding employment for seamen as a commercial enterprise is not permitted.

#### ARTICLE 4 of the Convention is as follows:

Each Member which ratifies this Convention agrees that there shall be organised and maintained an efficient and adequate system of public employment offices for finding employment for seamen without charge. Such system may be organised and maintained, either:

(1) by representative associations of ship-owners and seamen jointly under the control of a central authority, or,

(2) in the absence of such joint action, by the State itself.

The work of all such employment offices shall be administered by persons having practical maritime experience.

Where such employment offices of different types exist, steps shall be taken to co-ordinate them on a national basis.

*Australia.* — Facilities in the way of registration of persons desiring to be entered as seamen or apprentices on board ship are provided by the State at each of the principal ports. No charge is made to the seamen for these services. § 30 of the Navigation Act provides that a seamen's inspector may be appointed for any port. This inspector is instructed to keep a register of persons desiring to be entered as seamen or apprentices on board ships at the port and to supply seamen and apprentices to be entered on board ship at the port. In 1925 administrative action was taken for the purpose of providing special facilities for seamen to attend at the Government Mercantile Marine Offices for selection by masters of ships requiring crews, and buildings, known as seamen's shelters, were erected in the immediate vicinity of the Mercantile Marine Offices at each principal port. The officials entrusted with the supervision of the employment of seamen are the Chief Overseer of Seamen, attached to the central administration, and an Inspector of Seamen attached to the Mercantile Marine Office at the three principal ports. These officers are all persons having maritime experience. The question of the co-ordination of employment offices of different types does not arise as no public or private employment offices for seamen other than those described above exist in the Commonwealth.

*Belgium.* — The Government reports that a free employment office system was set up in Antwerp in 1912 on the initiative of the Union of Belgian Shipowners. So far this system has given complete satisfaction, and the Government intends for the present to continue to use this system, which is now under the control of the Joint Maritime Recruitment Committee set up by the Royal Order of 20 January 1926 (see under ARTICLE 5 below). In such ports and in such cases in which the recruiting of seamen does not take place through the office mentioned above, the maritime commissioners, with the assistance of the Joint Committee, see that the provisions of the Convention are observed. The Government wishes to give this system of finding employment a full trial, and only should it not give complete satisfaction would the Government proceed to the creation of public employment offices.

*Bulgaria.* — The Act of 12 April 1925 provides for the establishment of a general system of free public employment exchanges. Employment exchanges belonging to industrial associations of employers or workers may continue to exist, provided that they are carried on free of charge and under supervision (§ 2). In § 10 it is pro-



vided that "in towns in which seamen are recruited, one of the manager's assistants shall be a seaman who has completed at least the curriculum of a secondary school." There are no other types of employment agencies.

*Estonia.* — § 2 of the Employment Exchange Act of 1 August 1917 provides that local employment exchanges shall be set up by all urban or rural communes with a population of over 50,000 inhabitants and that the Minister of Labour may instruct any urban or rural commune with a population of less than 50,000 inhabitants to set up a local employment exchange. In virtue of this Act eleven exchanges have been established. Their services, which in accordance with § 8 of the Act are provided free of charge, are at the disposal of all persons desirous of obtaining employment without distinction of occupation. The Government, however, states that seamen do not ordinarily make use of these exchanges as they have no difficulty in obtaining employment by direct application to masters or shipowners. A service for finding employment for its members free of charge has also been established by the Seamen's Federation.

*Finland.* — § 2 of the Employment Exchanges Order of 2 November 1917 prescribes that in towns, the census figures of which exceed 5,000 inhabitants, a communal employment exchange shall be set up and that in cases where circumstances make it necessary towns with a smaller population and hamlets and rural communes may be obliged to establish an employment exchange or appoint a commissioner of employment. These exchanges find employment for seamen as well as for other workers. The Government reports, however, that so far they have been little used by shipowners or masters. The Employment Exchanges Act of 27 March 1926, which came into force on 1 January 1927, provides that the chief maritime towns shall be obliged, if the Minister of Social Affairs so decides after consultation with the municipal authorities, to set up a special section for the finding of employment for seamen in the town's official employment exchange. These sections will be managed by persons with practical maritime experience, and supervised by joint committees composed of equal numbers of representatives of shipowners and of seamen, under the chairmanship of the director of the official employment exchange. In other towns possessing seamen's institutions, the managers of these institutions will be required to undertake similar work. Co-ordination between the various exchanges is already secured through the same authorities, the whole of the work of finding employment being under the supervision of the Labour Bureau of the

Ministry of Social Affairs and in particular under that of the Inspector of Public Employment Exchanges.

*Germany.* — The Act of 22 July 1922 having laid down in § 47 that "the institution of seamen's employment exchanges shall be regulated in accordance with the Convention concluded at Genoa on 15 June 1920," the Order respecting seamen's employment exchanges was issued on 8 November 1924. § 1 of this Order provides that "seamen's employment exchanges shall be established and maintained by the industrial associations of shipowners and seamen for the placing of seamen's labour otherwise than for gain. The Seamen's Executive Council (*Seemännische Verwaltungsrat*) shall decide in what places such employment exchanges shall be established. If the placing of labour does not devolve upon the seamen's employment exchange, in pursuance of the regulations issued by the Council, or if in default of agreement between the industrial organisations such exchanges are not established, or if seamen's exchanges cease to undertake employment exchange work, the placing of labour shall be effected by the public employment exchanges. This provision shall also apply if the Seamen's Executive Council is not formed or is dissolved." § 7 provides that the services of the seamen's employment exchanges shall be free of charge to seamen. According to § 3 the chairman of the joint executive committee, which must be formed for every seamen's employment exchange, must be a person with experience in labour questions affecting seamen. In § 8 it was provided that seamen's employment exchanges not carried on for gain which were in existence at the date of coming into force of the Order (November 1924) should be allowed six months (which the Seamen's Executive Council might in special cases extend to one year) within which to make the changes necessary to comply with the Order. Finally, by § 9, seamen's employment exchanges not carried on for gain which were being carried on by industrial organisations in the coasting trade at the date of the coming into operation of the Order might be exempted from the provisions of the Order on the application of the organisations concerned, but in that case the provisions of the Employment Exchanges Act relating to employment exchanges not carried on for gain were to apply to them. The operations of such exchanges are by § 44 of the Employment Exchanges Act under the supervision of the Federal or State Employment Boards, as the case may be, and regulations were issued for this supervision on 26 October 1923 (*R.A.Bl.* 1923, p. 707).

*Greece.* — In pursuance of § 3 of the Legislative Decree of 7 October 1925 relat-



ing to the ratification of the Convention, a Decree relating to the constitution of a service for finding employment for unemployed seamen was issued and came into force on 30 October 1926. This free employment service is, under § 2 of the Decree, established in the premises of the port labour office at Piraeus as a separate organisation. It is controlled by a Committee composed of the Director of the port labour office of Piraeus (chairman), one official of the port authority chosen by the central harbour master of Piraeus, and two representatives each of the shipowners' and seamen's organisations. No Greek seaman may be engaged by the central harbour master's office unless he is provided with an engagement certificate delivered by the free employment service, and the engagement of seamen at other ports is only valid for the voyage to Piraeus, at which port such seamen may be replaced by others on the unemployed registers of the employment service. The service notifies to the Ministry of National Economy (Directorate of Labour and Social Welfare) all measures which it considers should be taken to ensure equilibrium between the supply of and demand for labour, and must carry out all measures ordered for this purpose.

*Italy.* — § 1 of the Legislative Decree of 24 May 1925 provides that in the ports of Savona, Genoa, Spezia, Leghorn, Portoferraio, Civitavecchia, Naples, Torre Annunziata, Taranto, Brindisi, Molfetta, Bari, Ancona, Venice, Trieste, Pola, Fiume, Cagliari, Messina, Catania, Trapani and Palermo, the finding of employment without charge for seamen, who are not to be embarked as officers or who are not to be employed on board in a confidential capacity, shall be confined to official employment offices administered by the port authority. Where, however, associations of shipowners and seamen make joint application to that effect, the Minister of Communications may at his discretion decide that the finding of employment without charge can be carried on by offices created and maintained by the associations themselves. The Minister of Communications may also prescribe, in virtue of § 2, the creation or suppression of employment offices. He is further empowered to issue general or special regulations, in accordance with the needs of each locality, for the organisation of the work of finding employment and the working of the offices. § 3 provides that the employment offices shall receive a fee from the shipowners in respect of each seaman placed in employment by their agency, the amount of the fee to be fixed by the Minister of Communications. The sums so received are to be used in aid of the maintenance of the offices.

*Japan.* — The Act of 1922 empowers the Government to carry on employment ex-

changes for seamen when it deems this to be necessary and to entrust employment exchange work to corporate bodies or other organisations engaged in public welfare work and to grant subsidies. At present the seamen's Relief Association of Japan, a body corporate engaged in public welfare work, is carrying on free employment exchanges on behalf of the Government and is in receipt of the subsidies authorised by law. The Seamen's Union of Japan and the Seamen's Association also provide facilities for finding employment for seamen free of charge. The following figures have been supplied by the Government in illustration of the activities of the seamen's employment exchanges during the period January-November 1926: applications for work 44,119; vacancies notified 30,658; vacancies filled 29,854. The work of co-ordination of the different types of employment offices is carried on in accordance with the provisions of the Seamen's Exchange Act and of the Ordinances issued in pursuance thereof. The task of co-ordination is entrusted to the Department of Communications and the Regional Bureaux of Communications.

*Norway.* — Public employment exchanges were established under the Act of 12 June 1906. In the more important communes these offices have a special section devoted exclusively to employment for seamen and supervised by persons possessing maritime experience. The question of the co-ordination of employment offices of different types does not arise as such offices do not exist.

*Poland.* — There are no special employment exchanges for seamen, who can use the general public employment exchanges. The Government states, however, that in most cases the seamen do not use the exchanges but arrange with the shipowners directly. The coordination under the Ministry of Labour and Social Welfare of all employment offices is secured by the provisions of the Act of 21 October 1921.

*Sweden.* — The employment exchanges established under the Decree of 30 June 1916 carry on the work of finding employment for seamen. In the four principal ports, however, special seamen's employment offices attached to the employment exchanges existing in these towns have been established. Each of these offices is managed by a retired master, generally assisted by a retired marine engineer. In eighteen less important ports, employment facilities are provided by special commissioners acting under orders of the public employment exchange concerned. Lastly, in six other ports the ordinary public exchanges devote their attention directly to seamen. The following figures have been supplied by the Government in illustration



of the work performed for the finding of employment for seamen during the period January-December 1926: applications for work 56,364; vacancies notified 20,697; vacancies filled 20,245. The question of the co-ordination of employment offices of different types does not arise, as such offices do not exist.

ARTICLE 5 of the Convention is as follows:

Committees consisting of an equal number of representatives of shipowners and seamen shall be constituted to advise on matters concerning the carrying on of these offices; the Government in each country may make provision for further defining the powers of these committees, particularly with reference to the committees' selection of their chairmen from outside their own membership, to the degree of State supervision, and to the assistance which such committees shall have from persons interested in the welfare of seamen.

*Australia.* — The Government states: "No provision has been made by the Commonwealth Government for the appointment of Committees of the character mentioned in Article 5 of the Convention. Such Committees, it has been assumed, are necessary only where the employment agencies are not maintained by the State but by representative associations of shipowners and seamen under the control of a central authority, as provided for in Article 4 of the Convention."

*Belgium.* — By the Royal Order of 20 January 1926 a Joint Maritime Recruitment Committee was established, with offices at Antwerp but with jurisdiction extending to all the ports of the Kingdom. This Committee is entrusted with the permanent supervision of the operations of employment offices for seamen, as well as with the duty of giving advice on all questions relating to the working of such offices. It is composed of three shipowners or former shipowners, or their authorised representatives, and three seamen or former seamen, from lists containing at least five names submitted by the shipowners and seamen respectively; in the case of the shipowners, the lists must be signed by ten shipowners or companies, in the case of the seamen by four hundred working seamen. The members of the Committee hold office for four years. Membership is honorary. A substitute member is appointed for each member. The chairman of the Committee is a State official appointed by the Minister of Railways, Shipping, Posts, Telegraphs, Telephones and Aeronautics, who also appoints a substitute chairman from among the officials of the Ministry.

*Bulgaria.* — Advisory committees are to be set up in connection with the services dealing with the finding of employment for seamen.

*Estonia.* — According to § 5 of the Employment Exchanges Act, shipowners and seamen may participate in the election of representatives on the committees entrusted with the management of the exchanges.

*Finland.* — The Employment Exchanges Act of 27 March 1926, which came into force on 1 January 1927, provides for the constitution of joint committees of equal numbers of shipowners' and seamen's representatives under the chairmanship of the chairman of the public exchange.

*Germany.* — § 5 of the Order of 8 November 1924 provided that a Seamen's Executive Council (*Seemannische Verwaltungsrat*) with headquarters in Hamburg should be set up by the industrial organisations of shipowners and seamen for all seamen's employment exchanges not carried on for gain and their executive committees. This Council is composed of an independent chairman and representatives of shipowners and seamen in equal numbers as assessors. The representatives of shipowners and seamen are appointed by the organisations concerned; the chairman, who must be a person with experience in labour questions affecting seamen, is elected by the assessors, or, in default of the election, is appointed by the Federal Employment Board, which supervises the activities of the Council and has the right to attend its sittings. By § 3 of the Order, an executive committee composed of an independent chairman and equal numbers of representatives of shipowners and seamen, appointed by the organisations concerned, as assessors, must be formed for every seamen's employment exchange. The chairman must be a person with experience in labour questions affecting seamen and is elected by the assessors, or, in default of the election, is appointed by the Seamen's Executive Council. It is the duty of the Seamen's Executive Council to issue rules, subject to the approval of the Federal Employment Board, for the constitution, management and operation of the seamen's employment exchanges, the activities of which are supervised by the executive committees. The managers of the exchanges are appointed by the executive committees on the proposal of the shipowners' organisations; failing agreement between the executive committees and the shipowners' organisations, these appointments have to be made by the Seamen's Executive Council.

*Greece.* — The Decree of 30 October 1926, issued in application of § 3 of the Legislative Decree of 7 October 1925, provides in §§ 2, 3, 4, 10 and 11 for the appointment of a Committee to control the free employment service for seamen, composed of the Director of the port labour office of Piraeus as chairman, one official



of the port authority chosen by the central harbour master at Piraeus, and two representatives each of the shipowners' and seamen's organisations. The shipowners' representatives are appointed by the Minister of National Economy from a list of not more than three names chosen by the organisations determined by the Minister by Order published in the *Official Gazette*. The representatives of the general seamen's organisation, or, in default thereof, of the seamen's organisations are also appointed by the Minister in such manner that one is taken from the ranks of the officers and one from the ranks of seamen. The members hold office for one year.

*Italy.*— The Legislative Decree of 24 May 1925 provides in § 1 that each seamen's employment exchange shall be under the direction of a Committee composed of an equal number of representatives of shipowners and seamen under the chairmanship of the port commandant.

*Japan.*— The Imperial Ordinance No. 374 of 27 August 1923 respecting the organisation of the Seamen's Employment Exchange Commission prescribed in § 6 of the Seamen's Employment Exchanges Act provides for a Commission which is composed of members appointed by the Cabinet from among shipowners and persons capable of representing the interests of seamen. This Commission is under the presidency of the Vice-Minister of Communications and its duty is to tender advice and make proposals to the Minister, at his request, concerning the management of the work of seamen's employment exchanges.

*Norway.*— Under § 2 of the Act of 12 June 1906, the exchanges are under the supervision of Committees appointed by the local authorities and composed of a neutral chairman and vice-chairman, and equal numbers of employers' and workers' representatives. The Committees of the exchanges with special branches for finding employment for seamen include representatives of shipowners and seamen. So far nineteen such Committees have been set up. The system may now be considered as applying to all exchanges dealing to any considerable extent with employment facilities for seamen.

*Poland.*— In virtue of the Decree of 27 January 1919 relating to the organisation of employment exchanges and of the Order of 18 December 1923 relating to the organisation and powers of the joint advisory committees (in Posnania and Pomerania the Order of 20 September 1924), advisory committees composed of equal numbers of representatives of em-

ployers and workers have been set up in connection with the State offices.

*Sweden.*— Representatives of shipowners and seamen have been appointed in twenty ports and are called upon to deal with important questions concerning the work of finding employment for seamen.

#### ARTICLE 6 of the Convention is as follows :

In connection with the employment of seamen freedom of choice of ship shall be assured to seamen and freedom of choice of crew shall be assured to shipowners.

*Australia.*— No definite information on this point is given in the report, but freedom of choice would appear to be implied in Part II, Division 4 of the Commonwealth Navigation Act.

*Belgium.*— The proposed new legislation regulating seamen's articles of agreement takes account of the provisions of the Convention. Moreover, § 3 of the Royal Decree of 20 January 1926 provides that the Joint Maritime Recruitment Committee is to investigate complaints regarding the working of employment offices *inter alia* in respect to interference with the right of the seamen to choose his ship and of the shipowner to choose his crew.

*Bulgaria.*— No special provisions relating to this question are contained in the Act of 12 April 1925, but employment exchange work is defined in § 1 as "the putting of employees and employers into touch with one another in connection with a demand for labour or an application for work."

*Estonia.*— No special provisions bearing on this subject are contained in the Act of 1 August 1917.

*Finland.*— No special provisions relating to this Article are contained in the Order of 2 November 1917.

*Germany.*— No special provisions covering the subject matter of this Article are contained in the Employment Exchanges Act of 22 July 1922 or in the Order respecting seamen's employment exchanges of 8 November 1924. The impartial operation of employment exchanges is, however, prescribed in § 40 of the Act, which also states that the object of the exchanges is to fill vacancies with suitable labour as far as possible.

*Greece.*— It is provided in § 8 (3) of the Decree of 30 October 1926 that seamen shall have free choice of ship, and shipowners or masters free choice of crew, subject to certain conditions: viz. a seaman is transferred to the end of the unemployed register if he refuses three offers of suitable employment; a shipowner or master must



choose his crew from a number equal to three times the number required submitted by the employment service, and a shipowner or master must accept a seaman three times rejected unless proof of his unsuitability for employment can be furnished.

*Italy.* — The Legislative Decree of 24 May 1925 contains no special provision relating to this Article of the Convention, but it may be noted that the Regulations for seamen's employment exchanges, approved in 1920 by the Royal Maritime Commission, lay down in § 7 that a shipowner is entitled to refuse to sign on any registered seaman for motives which appear reasonable and which must be declared valid by the committee, or, in cases of urgency, by the manager. In the latter case, appeal may be made to the chairman of the committee. The seaman possesses the same right to refuse service on any ship.

*Japan.* — The Government states that the operation of the Employment Exchanges Act "presupposes the fact of freedom of choice on the part of seamen as well as of shipowners."

*Norway.* — No special provisions relating to this question are contained in the Act of 12 June 1906.

*Poland.* — An Order of the Minister of Labour and Social Welfare of 26 January 1925 relating to the regulations for employment exchanges provides that employers have the right of choice amongst candidates for vacancies, and that workers are not obliged to accept the employment offered provided that they notify the exchange of their reasons for refusal.

*Sweden.* — The Government considers that the provisions of Article 6 are carried out by the exchange system since according to it "the principal object to be attained in finding employment is to ensure that the employer shall obtain the best type of labour possible, and that the worker shall be provided with work for which he is best suited".

ARTICLE 7 of the Convention is as follows :

"The necessary guarantees for protecting all parties concerned shall be included in the contract of engagement or articles of agreement, and proper facilities shall be assured to seamen for examining such contract or articles before and after signing.

*Australia.* — The Commonwealth Navigation Act provides for the making of an agreement with the crew which must contain all necessary particulars, and which must be read over and explained to each seaman, or other measures must be taken to ascertain that he understands it, before

it is signed by the seaman in the presence of a responsible official.

*Belgium.* — According to the Royal Decree of 20 March 1914 the Maritime Commissioner must supervise the signing on of the crew. The agreement must be read out in French or Flemish and the conditions of the agreement must be posted in both languages on the ship in a place readily accessible to all. The matter is also dealt with in the Bill concerning the regulation of seamen's articles of agreement submitted to Parliament on 22 July 1926.

*Bulgaria.* — All navigation is organised by the Bulgarian Commercial Company, the Regulations of which provide that every seaman must have a work book containing, amongst other things, the conditions of service, and extracts from the relevant laws, regulations and international conventions.

*Finland.* — The Engagement and Discharge of Seamen Order of 23 December 1924<sup>1</sup> provides that the signing on and off of crews must take place before the superintendent of a seamen's office or a special registration officer. At the time of signing on, the captain must produce, amongst other things, an agreement in writing for every seaman who is to be signed on, unless the wages book of the seaman contains all necessary particulars, including the duration of the agreement, wages, overtime pay, etc.

*Germany.* — This matter is dealt with in the Seamen's Code, § 14 of which provides that the terms of the agreement, which serves as list of the crew, are to be drawn up by the Seamen's Office and must contain, *inter alia*, the stipulations of the agreement, especially the rate of pay for overtime, and any other special agreements. The agreement must be read to the seamen in the presence of the shipping officer.

*Greece.* — This matter is not dealt with in the legislation cited in the report.

*Italy.* — Model articles of agreement and rules of service for steamships were adopted and published in the Circular of 27 March 1920. The articles of agreement contain, *inter alia*, provisions relating to the validity, the duration and the cessation of the contract of service, wages, the number and composition of the crew, conditions and hours of work, insurance against war risks, insurance of kit, sickness and accident insurance, food, etc. Before the seamen sign on, these articles of agreement must be read to them.

*Japan.* — The Japanese Government considers that "no special measures need be adopted since the matter provided here

<sup>1</sup> L. S., 1924, Fin. 4.

has already been prescribed in the Commercial Law and the Seamen's Act. It is laid down specifically that the contract of engagement should be read to the parties concerned by the competent authority dealing with the matter."

*Norway.* — The Seamen's Act of 16 February 1923<sup>1</sup> provides in § 11 that a wages contract must be drawn up by the captain for each seaman. It must contain all necessary particulars, including the duration of the agreement, wages, overtime pay, etc. The wages contract is included in the account book issued to each seaman; the account book also contains extracts of the laws and regulations of special interest to seamen.

*Poland.* — The German Seamen's Code of 2 June 1902 remains in force in Poland. § 14 of that Code provides that the list of the crew must contain, *inter alia*, the stipulations of the agreement, especially the rate of pay for overtime, and any other special agreements. Moreover, the Bill concerning conditions of service in the Polish Mercantile Marine provides that all seamen engaged shall be supplied with the text of the regulations in force relating to the finding of employment for seamen.

*Sweden.* — § 11 of the Seamen's Act of 15 June 1922<sup>2</sup> provides that when a seaman has been engaged he must be furnished by the captain with a wages book containing various particulars, including the duration of the agreement, wages, overtime pay and all other conditions of engagement. The procedure for the signing on and off of seamen is dealt with in regulations issued by the Crown.

ARTICLE 8 of the Convention is as follows :

Each Member which ratifies this Convention will take steps to see that the facilities for employment of seamen provided for in this Convention shall, if necessary by means of public offices, be available for the seamen of all countries which ratify this Convention and where the industrial conditions are generally the same.

*Australia.* — The facilities for the obtaining of employment by seamen are available to seamen of all nationalities and in respect of employment in all ships in Commonwealth ports.

*Belgium.* — Foreign seamen signing on in Belgium benefit by all the privileges granted to national seamen. The effect of the Convention, the Government reports, will therefore be equally favourable to foreign as to Belgian seamen.

<sup>1</sup> L. S., 1923, Nor. 1.

<sup>2</sup> L. S., 1922, Swe. 1.

*Bulgaria.* — The service for the finding of employment for foreign seamen has not been organised. It will be set up as soon as required.

*Estonia.* — The services of the employment exchanges are at the disposal of foreign workers.

*Finland.* — No special measures have been necessary as foreign seamen were already entitled to make use of the facilities offered by the exchanges on the same terms as Finnish nationals.

*Germany.* — The seamen's employment exchanges are open to seamen of all nations.

*Greece.* — § 9 of the Decree of 30 October 1926 provides that the operations of the free employment service may, subject to the condition of reciprocity, be extended to the finding of employment for foreign seamen.

*Italy.* — The report states that, given the fact that the provisions relating to the finding of employment for seamen have the character of regulations of public order, the facilities and penalties therein provided for apply not only to Italian seamen but also to those of other countries generally.

*Japan.* — No discrimination is made between Japanese and foreign seamen.

*Norway.* — Foreign seamen have the same opportunity of using the exchanges as Norwegian subjects.

*Poland.* — The employment exchanges are open to Polish and foreign workers without distinction in accordance with the Order of the Minister of Labour and Social Welfare of 26 January 1925 relating to the regulations for State employment exchanges.

*Sweden.* — No special measures have been taken. Free employment facilities are open to foreigners.

ARTICLE 9 of the Convention is as follows :

Each country shall decide for itself whether provisions similar to those in this Convention shall be put in force for deck-officers and engineer-officers.

*Australia.* — The relevant provisions of the Navigation Act apply to deck and engineer officers and to lower deck ratings alike. Facilities for obtaining employment are also available to officers.

*Belgium.* — Provisions similar to those of the Convention have not been put into force in respect of deck officers and



engineer officers. Nevertheless, the Bill concerning the regulation of seamen's articles of agreement extends the prohibition of recruitment for pecuniary gain to such officers.

*Bulgaria.* — The service for the finding of employment for deck and engineer officers has not yet been organised.

*Estonia.* — Similar provisions have not been put into force for deck and engineer officers.

*Finland.* — Similar provisions have not been and do not appear likely to be put into force for deck and engineer officers.

*Germany.* — No such measures have been taken.

*Greece.* — The Decree of 30 October 1926 provides in § 9 (1) that deck and engineer officers may avail themselves of the free employment service with the exception of the master and first engineer.

*Italy.* — According to § 1 of the Legislative Decree of 24 May 1925 the finding of employment for officers is not entrusted to the employment exchanges set up under the Decree.

*Japan.* — Deck and engineer officers are covered by the same system for finding employment as lower ratings.

*Norway.* — The system of public employment exchanges applies to deck and engineer officers.

*Poland.* — Deck and engineer officers are entitled to use the employment exchanges.

*Sweden.* — Deck and engineer officers may use the employment exchanges.

#### ARTICLE 10 of the Convention is as follows:

Each Member which ratifies this Convention shall communicate to the International Labour Office all available information, statistical or otherwise, concerning unemployment among seamen and concerning the work of its seamen's employment agencies.

The International Labour Office shall take steps to secure the co-ordination of the various national agencies for finding employment for seamen, in agreement with the Governments or organisations concerned in each country.

*Australia.* — In its 1925 report the Government gave an extract from the Annual Report of the Director of Navigation for the year 1924-1925 regarding the measures taken to determine, in connection with its seamen's employment agency system, the places at which seamen desiring engagement should attend. The places chosen are the Mercantile Marine Offices in each port, in the

proximity of which waiting rooms or shelters have been provided by the State.

*Belgium.* — See introductory note.

*Bulgaria.* — The report does not refer to the question of the supply of information.

*Estonia.* — Information is furnished in the annual reports.

*Finland.* — Information is furnished in the annual reports and statistics are given in the *Social Review*.

*Germany.* — The results of the activities of the seamen's employment exchanges are summarised in the non-official part of the *Reichsarbeitsblatt*, in the number which appears on the first day of each month.

*Greece.* — The question of supplying information is not referred to in the report.

*Italy.* — The report does not mention the question of furnishing this information.

*Japan.* — The Government supplies general and statistical information on the work of the seamen's exchanges in its annual reports.

*Norway.* — The Office receives the reports of the Inspector of Public Employment Exchanges and Unemployment Funds (annual and fortnightly).

*Poland.* — Information is supplied under the *Convention concerning unemployment*.

*Sweden.* — Information is supplied under the *Convention concerning unemployment*, and statistics of the work of the seamen's exchanges in the annual reports.

#### III. Enforcement of legislation.

*Australia.* — The Navigation Act is administered by the Navigation Branch of the Department of Trade and Customs. The officials entrusted with the supervision of the employment of seamen are the Chief Overseer of Seamen and the Inspectors of Seamen. The Chief Overseer of Seamen is attached to the central administration and there is an Inspector of Seamen at each of the three principal ports. The Government states that very few cases have occurred where unauthorised persons have supplied seamen to ships. In every case that has been discovered proceedings have been taken in the Courts and penalties inflicted. For penalties, see under ARTICLE 2.

*Belgium.* — The Minister of Shipping is responsible for supervising the execution of the measures which have been taken for ensuring the application of the provisions of the Convention, especially of Articles 2,

3, 6 and 7. The shipping officers and the consuls, jointly with the public prosecutor's office in matters relating to penalties to be prescribed in pursuance of the Convention, are also entrusted with the supervision of the enforcement of the Convention and the legal and administrative provisions relating thereto. See also under ARTICLE 2.

*Bulgaria.* — See the analysis of the report on the *Convention concerning unemployment*.

*Estonia.* — See the analysis of the report on the *Convention concerning unemployment* and under ARTICLE 2.

*Finland.* — See the analysis of the report on the *Convention concerning unemployment* and under ARTICLE 2.

*Germany.* — The Seamen's Executive Council supervises the work of the seamen's employment exchanges set up under the order of 8 November 1924; the Council is supervised by the Federal Employment Board. Employment agencies carried on for gain are supervised by the competent local police authorities and the employment exchange office of the place where the agency is situated (§ 48 of the Act of 22 July 1922). Penalties for contraventions of this legislation are provided in §§ 54-58 and the concluding and transitional provisions of the Act of 22 July 1922.

*Greece.* — The supervision of the application of the Legislative Decree of 7 October 1925 and of the Decree of 30 October 1926 is entrusted to the Committee of the free employment service. For penalties, see under ARTICLE 2.

*Italy.* — The supervision of the application of the measures mentioned is entrusted to the maritime authorities under the direction of the General Directorate of the Mercantile Marine at the Ministry of Communications. For penalties, see under ARTICLE 2.

*Japan.* — The carrying out of the legislation is entrusted to (a) the Minister of Communications (§§ 6 and 7 of the Act of 11 April 1922, and §§ 3, 4, 10, etc. of the Ordinance No. 65); (b) the Seamen's Employment Exchange Commission (§ 6 of the Act of 11 April 1922); and (c) the "Competent Maritime Administration" which includes the Regional Bureaux of Communications and the branches of these Bureaux with jurisdiction in the locality of the exchange (§§ 2 to 4 and 7 to 9, etc. of the Ordinance No. 65). § 8 of the Act

of 11 April 1922 provides that "any person who contravenes the provisions either of this Act or of any Order issued thereunder, in a way which falls within the scope of either of the following clauses, shall be liable to hard labour not exceeding six months or to a fine not exceeding 500 yen: (a) Any person who has carried on an employment exchange for seamen without permission; (b) Any person who has carried on an employment exchange for seamen and has received or caused others to receive either fees or other material benefit as a reward for the same." The same penalties are applicable to persons who have exercised coercion in allocating employment. §§ 5 and 6 of the Ordinance No. 65 also contain penalties.

*Norway.* — See analysis of the report on the *Convention concerning unemployment*.

*Poland.* — See analysis of the report on the *Convention concerning unemployment*.

*Sweden.* — See analysis of the report on the *Convention concerning unemployment*.

#### IV. Application to colonies, etc.

*Australia.* — The provisions of the Navigation Act relative to the supply and engagement of seamen have application to the *Northern Territory* of the Commonwealth. They have not been applied in the Territories of *Papua* or *Norfolk Island*, or to the Mandated Territory of *New Guinea*, as they are not considered applicable owing to local conditions.

*Belgium.* — The Government states that the Convention was ratified subject to the right of the Government to decide later whether it shall be applied in the *Belgium Congo* and in the territories under Belgian mandate. The regulations in force in the territory of the Congo, however, ensure an efficient control over the recruitment and employment of the natives.

*Italy.* — The application of the Convention has not yet been extended to the colonies.

*Japan.* — The application of the Convention has not been extended to the colonies owing to the local conditions which render its provisions inapplicable.

The question does not arise in the case of *Bulgaria*, *Estonia*, *Finland*, *Germany*, *Greece*, *Norway*, *Poland* and *Sweden*.



THIRD SESSION (GENEVA, 1921).

Convention concerning the age for admission of children to employment in agriculture.

I

This Convention first came into force on 31 August 1923. Reports have been received in respect of the year ended 31 December 1926 from *Austria, Bulgaria, Czechoslovakia, Estonia, Irish Free State, Italy, Japan, Poland and Sweden.*

The Government of *Austria* states that in Austria legal effect has been given to the provisions of the Convention by the publication of the Convention in the *Bundesgesetzblatt* of 19 July 1924. "Moreover, the principles contained therein are embodied in the provisions, more drastic than those of the Convention, of the Act

of 19 December 1918 respecting child labour which has been in force for some years. Further, in the edicts relating to agricultural labour issued by the States, particular attention is paid to these principles (e.g. § 10 of the Act of 10 March 1921 of Upper Austria (*L.G.Bl.* No. 20))."

The report of the Government of the *Irish Free State* was not received in time for inclusion in the summary. The report for the year 1925 had stated that the application of the Convention necessitated new legislation, and that provision had been made in the School Attendance Bill then before Parliament. This Bill was passed during 1926 and the Act is now in force.

The following table shows the countries which have ratified the Convention and are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of application.			Date for application of provisions.			Last report received.		
Austria. . . . .	12.	6.	1924	20.	7.	1924 <sup>1</sup>	11.	3.	1927
Bulgaria . . . . .	6.	3.	1925	6.	3.	1925	19.	3.	1927
Czechoslovakia . . . . .	31.	8.	1923	14.	5.	1924 <sup>2</sup>	28.	2.	1927
Estonia . . . . .	8.	9.	1922	31.	8.	1923 <sup>3</sup>	7.	2.	1927
Irish Free State. . . . .	26.	5.	1925	— <sup>4</sup>			17.	5.	1927
Italy . . . . .	8.	9.	1924	8.	9.	1924 <sup>5</sup>	19.	3.	1927
Japan . . . . .	19.	12.	1923	19.	12.	1923 <sup>6</sup>	1.	3.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>7</sup>	18.	3.	1927
Sweden . . . . .	27.	11.	1923	27.	11.	1923	17.	2.	1927

<sup>1</sup> In accordance with Article 49 of the Constitution, the Convention was published in the *Bundesgesetzblatt* of 19 July 1924 and came into force the next day.  
<sup>2</sup> The laws under which the Convention is applied have, however, been in force since 3 January 1919 and 17 October 1919 respectively.  
<sup>3</sup> The report states that the Convention was already applied on 31 August 1922.  
<sup>4</sup> See introductory statement.

<sup>5</sup> Although the Convention has been in force since this date, the Decree ordering it to be given full and complete effect was published on 27 December 1925.  
<sup>6</sup> The Ordinance under which the Convention is applied has, however, been in force since 1 September 1900.  
<sup>7</sup> The report states that the provisions of the Convention came into force on 23 January 1924.

ARTICLE 1 of the Convention is as follows :

Children under the age of fourteen years may not be employed or work in any public or private agricultural undertaking, or in any branch thereof, save outside the hours fixed for school attendance. If they are employed outside the hours of school attendance, the employment shall not be such as to prejudice their attendance at school.

*Austria.* — The employment of children is regulated by the Child Labour Act of 19 December 1918<sup>1</sup>, § 4 of which lays down as a general limitation that “children shall only be employed or otherwise occupied in so far as their health is not injured thereby nor their physical and mental development or their morals endangered, and the carrying out of their compulsory school attendance is not prevented.” In addition to this general limitation the Act stipulates in § 7 that no child under the age of twelve years may be employed, with the exception that children who have reached ten years of age may be employed on light work in agriculture and domestic service; and § 5 prohibits the employment of children under fourteen years of age in certain industries and occupations specified in the Schedule to the Act, amongst which may be mentioned as relating to agriculture: “Tending power machines and all machines, shafting and lifts driven by motor-power; ... employment in connection with straw and fodder cutting machines; ... wood felling and chopping; ... threshing; reaping.” The Act further provides in § 9 that children may not be employed in agriculture or domestic work during the two hours immediately preceding school; this restriction does not apply to “work of a temporary nature which cannot be postponed and which must be undertaken in the public interest or in emergencies (in agriculture especially to save the crops)” (§ 10).

*Bulgaria.* — § 29 of the Act of 1924 concerning public instruction stipulates that “Instruction in primary schools shall be compulsory and free for all Bulgarian subjects (Article 78 of the Constitution.) Instruction shall be compulsory for all children of normal health and without mental disabilities between the ages of seven and fourteen years.” The Government reports that “the application of the provisions of the Convention has not necessitated any amendment of the Act concerning public instruction. It has accordingly not been necessary to pass a special Act covering the children of agricultural workers who in working in agriculture merely assist their parents under whose control they remain all the time.”

*Czechoslovakia.* — § 10 of the Eight-Hour Day Act of 19 December 1918<sup>2</sup>

prohibits the employment of children “before the conclusion of their compulsory school attendance, and before they are fourteen years of age.” According to § 1 (4), the Act applies to agriculture and forestry in respect to the regular employment of persons living outside the household of the employer and receiving daily, weekly or monthly wages. These provisions are supplemented by those of the Act respecting child labour of 17 July 1919<sup>1</sup>, which regulates the employment of children under fourteen years of age “without prejudice to more far-reaching limitations in other Acts.” As far as agricultural employment is concerned, this Act applies to children living in the household of the employer. By § 7 of the same Act, the employment of children under fourteen years of age is prohibited in undertakings and occupations mentioned in the schedule to the Act, which includes brick works, lime kilns, etc., operated in connection with agricultural undertakings, and also the following: “tending power machines, and all machines, shaftings and lifts driven by motor power; employment in connection with straw and fodder cutting machines; wood felling and chopping; threshing; reaping.” The employment of children under ten years of age is completely prohibited by § 4. Children between the age of ten and fourteen years may only be employed on light work in agriculture subject to the condition that such employment does not injure their health or endanger their physical or mental development and provided that they are not thereby prevented from carrying out their compulsory school attendance (§ 4). It is further provided in § 5 that this employment may not exceed two hours on school days, and that employment during the two hours immediately preceding school and during one hour after school is prohibited.

*Estonia.* — The Act of 1 November 1921 regulating the hours of work and wages of agricultural workers<sup>2</sup> provides by § 3: “Children under twelve years of age shall not be employed in agriculture. *Note.* — Children liable to compulsory school attendance shall not be employed except during the school holidays.”

*Italy.* — § 1 of the Royal Decree of 31 December 1923 on compulsory education (now incorporated in the consolidated text of 22 June 1925, No. 432) provides for the compulsory education of children from six to fourteen years of age. The prohibition of the employment of children under fourteen years of age during the hours fixed for school attendance is contained implicitly in §§ 15 and 16 of the same Decree. These sections render liable to fines any

<sup>1</sup> B.B., Vol. XII, 1918, p. 19.

<sup>2</sup> L.S., 1919, Cz., 1-3.

<sup>1</sup> L.S., 1920, Cz. 2.

<sup>2</sup> L.S., 1921 (Part. II), Est. 1.



persons responsible for the absence of children from school and employers employing in their undertakings children who are not fulfilling their scholastic obligations. To facilitate school attendance, § 18 provides that in the case of schools situated in agricultural districts, the director of education may draw up a time-table corresponding with the customary hours of rest in agricultural work in the various zones of his district.

*Japan.* — § 32 of the Elementary School Ordinance of 1 September 1900 provides for the compulsory education of children between the ages of six and fourteen years, and by § 35 employers of such children between these ages as have not completed their elementary school education are forbidden to prevent the children from attending school.

*Poland.* — Article 103 of the Constitution<sup>1</sup> of 17 March 1921 prohibits the employment for wages of children below the age of fifteen years and of children subject to compulsory school attendance, and Article 118 makes primary education compulsory for all Polish citizens. The Government adds that the supply of agricultural labour greatly exceeding the demand, in practice the question of the employment of young persons under the age of fifteen years does not arise and such employment is not in accordance with the customs of the country.

*Sweden.* — Children may not be employed in agriculture save outside the hours fixed for school attendance by the Order of 26 September 1921 relating to primary education. The total annual period of school attendance is generally at least eight months.

#### ARTICLE 2 of the Convention is as follows:

For purpose of practical vocational instruction the periods and the hours of school attendance may be so arranged as to permit the employment of children on light agricultural work and in particular on light work connected with the harvest, provided that such employment shall not reduce the total annual period of school attendance to less than eight months.

*Austria.* — The provisions of § 16 of the Order of 29 September 1905 respecting school attendance and § 5 of the Ministerial Order of 8 June 1883 respecting facilities for school attendance permit the employment of children on light agricultural work and, in particular, on light work in connection with the harvest. § 7 of the Child Labour Act of 19 December 1918 permits the employment of children of more than ten years of age on light agricultural work.

*Bulgaria.* — § 42 of the Act of 1924 concerning public instruction prescribes that in *pro-gymnasia* (i.e. the upper classes in the elementary schools, attendance at which is compulsory and free for children up to the age of fourteen years and lasts three years) the school year begins on 15 September and finishes in towns on 12 July and in villages on 15 June.

*Czechoslovakia.* — Such exceptional arrangements of school hours are not permitted. The Act of 13 July 1922 amending and completing the legislation concerning primary and superior primary schools expressly prohibits the granting of any exception to the prescribed periods of school attendance<sup>1</sup>.

*Estonia.* — The Act of 1 November 1921 regulating the hours of work and wages of agricultural workers lays down in § 3 that "young persons under sixteen years of age shall be employed only in auxiliary work, such as minding cattle on small peasants' holdings, weeding beets, raking hay, and other light work." In primary rural schools, the school year ends on 31 May and begins on 1 October in each year.

*Italy.* — The Government states that no provisions have been adopted to give effect to the principles laid down in this Article of the Convention, so as to arrange the hours of school attendance in such a way that children may be employed on light agricultural work.

*Japan.* — No special measures have been necessary. According to § 27 of the Elementary School Ordinance holidays (excluding Sundays) must not exceed 90 days in the year.

*Poland.* — §§ 23 and 24 of the Decree of 7 February 1919 relating to compulsory education, which applies in those parts of the territory of the Polish Republic which were formerly Russian, authorise schools to arrange the periods of attendance so as to permit children to be employed on urgent agricultural work for a period not exceeding 14 days in spring and in autumn, and to arrange the school hours in such manner that the employment of children does not prejudice their studies.

*Sweden.* — Arrangements have not been made varying the hours of school attendance as to permit the employment of children on light agricultural work.

#### ARTICLE 3 of the Convention is as follows:

The provisions of Article I shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

<sup>1</sup> L.S., 1921, Pol. 3 (extracts).

<sup>1</sup> O.B., Vol. VII, p. 119.

*Austria.* — § 2 (2) of the Child Labour Act of 19 December 1918 provides that the employment of children exclusively for the purpose of instruction or education is not to be held to be child labour.

*Bulgaria.* — No reference is made to the exception for technical schools.

*Czechoslovakia.* — § 2 of the Child Labour Act provides that "the employment of children exclusively for purposes of instruction or education shall not be held to be child labour."

*Estonia.* — The Act of 1 November 1921 contains no equivalent provisions.

*Italy.* — No reference is made to the exception for technical schools.

*Japan.* — No reference is made to the exception for technical schools.

*Poland.* — No reference is made to the exception for technical schools.

*Sweden.* — The position of technical schools is not stated.

### III. Enforcement of legislation.

*Austria.* — The application of the provisions relating to child labour is secured by the fact that, in accordance with § 17 of the Child Labour Act of 19 December 1918, special inspectors have been appointed to supervise the conditions of the employment of children and, for their assistance, the co-operation of associations for the protection of children and young persons has been obtained. In accordance with the administrative instruction of 23 January 1920 relating to child labour<sup>1</sup>, these inspection bodies are in particular entrusted with the supervision of child labour in agriculture. The inspection is effected with the assistance of the school authorities, who keep a register of employment for the children under their charge. Any striking features noted in the pupils, such as too-frequent absences, fatigue, appearance of ill-health, are entered in the register which the school head-master must forward to the competent inspection authority by, at the latest, 1 December in each year. The special inspection officials are also empowered to visit all workplaces and families where children are employed. Fines and imprisonment not exceeding three months may be imposed by the political authorities for contraventions of the law relating to child labour. For certain offences the right to employ children may be withdrawn.

*Bulgaria.* — The Act concerning public instruction is supervised by the communal and school authorities and by the inspectorate of schools. § 30 instructs the mayors of communes each year at the latest by the end of March to forward to the President of the Administrative Council for Education a list of all children between seven and fourteen years of age. The Act also contains penal sanctions for parents and guardians who prevent the school attendance of their children or wards. § 13 of the Act respecting the health and safety of workers authorises the labour inspectors to supervise agricultural undertakings employing paid labour.

*Czechoslovakia.* — In accordance with § 13 of the Child Labour Act, the local administrative authorities are responsible for the supervision of the observance of the provisions of the Act. In addition, special inspection authorities are appointed to supervise child labour, their principal duty being to inspect undertakings in which children are employed. The provincial administrative authorities may also set up special supervisory committees for communes or districts, for the purpose of providing the authorities with advisory opinions on the application of the law. It is further prescribed that the competent authorities shall be assisted by all other bodies, institutions or officials concerned with the care of the young, such as the District Child Welfare Committees that exist in Bohemia, Moravia and Silesia. § 14 of the Act provides that contraventions are to be punished by fines not exceeding 1000 kr. or by imprisonment for not more than three months. Certain offences are punished by the withdrawal of permission to employ children.

*Estonia.* — The factory inspectors and the social welfare divisions of the district authorities supervise the application of the provisions of the Act of 1 November 1921. Contraventions may be brought before the courts and punished by fines of not exceeding 50,000 marks or imprisonment of not more than one year.

*Italy.* — Enforcement is entrusted to the Ministry of Public Instruction which acts through the bodies dependent on it. § 12 of the Royal Decree of 31 December 1923 lays down that when the school year has begun, the inspector takes note of such children as are not attending school. On the request of the school authorities the names of these children are posted at the town hall for one month. By § 13 it is provided that on the expiration of this month the mayor invites the persons responsible for the children to conform to the law. Should the absence from school continue the persons responsible become

<sup>1</sup> L.S., 1920, Aus. 17.



liable to fine of from 2 to 50 lire (§ 15). In virtue of § 16 fines of double the amounts specified in § 15 may be inflicted on employers employing children who are not fulfilling their scholastic duties. § 14 stipulates that in cases of unjustifiable absence during the school year fines in accordance with § 15 may be imposed on the persons responsible.

*Japan.* — The Government reports that elementary education in Japan is a national affair and hence the administration of the Ordinance is entrusted primarily to the mayors of cities or to the chief magistrates of towns or villages in their capacity as State authorities; and secondarily to the governors of the prefectures. Before ratification, the essential requirements of the Convention had been already realised, but in order to make the fulfilment of the Convention quite perfect, the Government, following ratification, instructed the local governors to administer the Elementary Schools Ordinance with greater care. Should a child be absent from school, without reasonable cause, for a period of longer than seven days the schoolmaster notifies the child's guardian. If this notification remains without effect for a further period of seven days the matter is brought before the mayor and thence before the chief of the county or the governor of the prefecture who issues orders to ensure obedience to the provisions of the Act (§§ 92-94 of the Administrative Rules issued in pursuance of the Elementary School Ordinance). The Government adds that "the actual conditions of the compulsory educational system are very satisfactory; the percentage of school-age children enrolled in schools reaching 99.23 per cent, while the percentage of pupils regularly attending schools is 95.8 per cent."

*Poland.* — The authorities entrusted with the enforcement of the Polish laws and regulations are (1) the school inspection authorities; (2) the factory inspectorate; (3) the Ministry of Labour and Social Welfare; (4) the Ministry of Public Instruction. Parents or guardians who, without good reason, do not send their children or wards to school are liable to fines or imprisonment.

*Sweden.* — In each educational district, generally the ecclesiastical parish, there is an educational council immediately responsible for the maintenance of primary education, which in addition is supervised by the primary school inspectors. The General Directorate of Education is the central authority on all such matters which in the last resort are treated by the Ministry of Public Worship and Education. Cases of unjustified absence from school are examined by the district educational coun-

cil and on its report the pastor of the parish may address a reprimand to the parents responsible, repeated, should it remain without effect, by the presbyterial council. Continued opposition on the part of the parents may lead to the transference of the guardianship of the children.

#### IV. *Application to colonies, etc.*

*Italy.* — The Government states that the application of the Convention has not yet been extended to the colonies.

*Japan.* — The Government states that "the colonies have different cultural standards and it is not possible, therefore, to apply the same system of elementary compulsory education as at home. The Elementary School Ordinance is not applied to them and accordingly the present Convention is not yet applied to these territories."

The question does not arise in the case of *Austria, Bulgaria, Czechoslovakia, Estonia, Irish Free State, Poland and Sweden.*

#### **Convention concerning the rights of association and combination of agricultural workers.**

##### I.

This Convention first came into force on 11 May 1923. Reports have been received in respect of the year ended 31 December 1926 from the Governments of *Austria, Bulgaria, Chile, Czechoslovakia, Estonia, Finland, Germany, Great Britain, India, Irish Free State, Italy, Latvia, Poland and Sweden.*

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408:

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Austria . . . . .	12.	6.	1924	20.	7.	1924 <sup>1</sup>	11.	3.	1927
Bulgaria . . . . .	6.	3.	1925	1.	4.	1925	19.	3.	1927
Chile . . . . .	15.	9.	1925	15.	9.	1925	3.	5.	1927
Czechoslovakia . . . . .	31.	8.	1923	14.	5.	1924	28.	2.	1927
Estonia . . . . .	8.	9.	1922	11.	5.	1923	7.	2.	1927
Finland . . . . .	19.	6.	1923	19.	6.	1923	21.	2.	1927
Germany. . . . .	6.	6.	1925	6.	6.	1925	21.	2.	1927
Great Britain . . . . .	6.	8.	1923	6.	8.	1923	11.	2.	1927
India . . . . .	11.	5.	1923	11.	5.	1923	24.	2.	1927
Irish Free State . . . . .	17.	6.	1924	17.	6.	1924	5.	2.	1927
Italy. . . . .	8.	9.	1924	8.	9.	1924 <sup>2</sup>	19.	3.	1927
Latvia . . . . .	9.	9.	1924	9.	9.	1924	12.	2.	1927
Poland. . . . .	21.	6.	1924	21.	6.	1924 <sup>3</sup>	18.	3.	1927
Sweden . . . . .	27.	11.	1923	27.	11.	1923	17.	2.	1927

<sup>1</sup> In accordance with Article 49 of the Austrian Constitution the Convention was promulgated in the *Bundesgesetzblatt* of 19 July 1924 and came into force on the following day.

<sup>2</sup> The Italian report states that the Convention came into force in Italy on 21 May 1924.

<sup>3</sup> The Polish report states that the Convention came into force in Poland on 23 January 1924.

II. — *Legislative or other measures.*

ARTICLE 1 *of the Convention is as follows:*

Each Member of the International Labour Organisation which ratifies this Convention undertakes to secure to all those engaged in agriculture the same rights of association and combination as to industrial workers, and to repeal any statutory or other provisions restricting such rights in the case of those engaged in agriculture.

*Austria.* — The legislation in force secures for all persons employed in agriculture the same rights of association and combination as are enjoyed in Austria by industrial workers. By § 12 of the Act of 21 December 1867 (*Staatsgrundgesetz*) (*R.G.Bl.* No. 142), which forms a fundamental constitutional act of the Austrian Republic, all Austrian citizens possess the right of assembly and association. The exercise of this right is regulated by the Act of 15 November 1867 relating to the right of association (*R.G.Bl.* No. 134) and by the Act of 15 November 1867 relating to the right of assembly (*R.G.Bl.* No. 135). With regard to the right of combination, there is also to be noted the Act of 7 April 1870 (*R.G.Bl.* No. 43) establishing freedom of combination, which applies equally to all workers.

*Bulgaria.* — There is no special law concerning the rights of association and combination either of agricultural or of other workers. All Bulgarian subjects, no

matter what their occupation or social standing, are in enjoyment of these rights. Article 83 of the Constitution provides that “Bulgarian subjects are entitled without special permission to join combinations when the objects and methods of the combinations are in no way to the detriment of social progress, religion or morality.” This Article remains unrestricted by any legislative measure respecting the rights of combination of occupational organisations the objects of which are the improvement of the material situation of their members. A Defence of the Realm Act exists but it is directed against organisations and persons endeavouring to subvert the Constitution by force (communists, anarchists, terrorists). In view of the categorical character of Article 83 of the Constitution no special legislation guaranteeing the right of association to agricultural workers is considered necessary. The report adds that up to the present agricultural wage-earners are not organised as they are few in number and very scattered, although the Ministry of Commerce, Industry and Labour has not noticed any attempt to prevent the exercise of the right of association.

*Chile.* — The report states that the Trade Unions Act of 8 September 1924<sup>1</sup> guarantees the right of association to all workers, employers or employees without distinction. § 22 of this Act defines trade unions as “associations constituted in

<sup>1</sup> L. S., 1924, Chile 3.



conformity with this Chapter by salaried and wage-earning employees in the same trade, industry or employment or in similar or related trades, industries or employments, to deal exclusively with the study, promotion and legitimate defence of the general economic interests of their members." The right to strike is expressly recognised by the Arbitration and Conciliation Act of 8 September 1924<sup>2</sup>.

*Czechoslovakia.* — §§ 113 and 114 of the Constitutional Act of 29 February 1920 ensure to persons employed in agriculture the same rights of association and combination as to industrial workers. No further legislative or administrative measures were therefore necessary to give effect to the Convention.

*Estonia.* — The Constitution of 15 June 1920 guarantees by Article 18 the rights of association and combination. Agricultural workers thus enjoy in Estonia the same rights of association and combination as industrial workers.

*Finland.* — The laws in force grant unreservedly to agricultural workers the same rights of association and assembly as are enjoyed by other workers and citizens, this situation being based on the Act of 20 August 1906 relating to the right of speech, combination and assembly, on Article 10 of the Finnish Constitution of 17 July 1919, on the Act of 20 February 1907 relating to public meetings and on that of 4 January 1919 relating to the right of association.

*Germany.* — Article 159 of the German Constitution of 11 August 1919 guarantees every individual and occupation the right to combine for the purpose of safeguarding and improving their working and general economic conditions. All agreements or measures tending to restrict or hinder the enjoyment of this right are contrary to the law. The existence of this Article made it unnecessary to adopt any further legislation to secure to agricultural workers rights of association and combination.

*Great Britain.* — No legislation was necessary to give effect to the Convention, existing legislation already permitting for all those engaged in agriculture the same rights of association and combination as are enjoyed by industrial workers.

*India.* — The Government reports that existing legislation permits for all those engaged in agriculture the same rights of association and combination as are enjoyed by industrial workers in the country. No legislation has been adopted in order to give effect to the Convention, but the Indian

Trade Unions Act 1926<sup>1</sup> is in conformity with the Convention. This Act provides for the registration of trade unions, and in certain respects defines the law relating to registered trade unions in British India. The term "trade union" is defined in such a way as to include employers' organisations and their activities as well as workers' organisations. A trade union making the necessary application is entitled to registration under the Act on compliance with certain stated conditions designed to ensure that the union is a *bona fide* trade union and that adequate safeguards are provided for the rights of its members. The Act provides for registered trade unions the right to corporate existence and confers immunity from prosecution for criminal conspiracy in respect of an agreement made between members of a trade union (unless the agreement is an agreement to commit an offence), from civil suits in certain cases and from legal difficulties arising out of the fact that any of the objects of an agreement between the members of a registered trade union are in restraint of trade. No restriction is placed upon the objects which a registered trade union may pursue, but the expenditure of its funds must be limited to clearly specified trade union purposes. It is also provided that a registered trade union may constitute a separate fund from contributions separately levied for the promotion of certain explicitly defined civic and political objects. It is laid down that no member shall be compelled to contribute to the political fund thus constituted and that a member who does not contribute to the said fund must not be excluded from any benefits of a trade union or placed in any respect either directly or indirectly under a disability as compared with other members of a trade union, nor can any applicant be refused admission on such grounds. The Act is purely permissive in character. Registration under it is optional, not compulsory, and the legal position of trade unions which do not register is unaffected.

*Irish Free State.* — It was not necessary to adopt new legislation to give effect to the Convention. Existing legislation already secures to all those engaged in agriculture the same rights of association and combination as are enjoyed by industrial workers.

*Italy.* — In the exercise of the rights of association and combination no distinction is made in Italian legislation between industrial and agricultural workers. No measure has thus been necessary to repeal any provisions restricting these rights in the case of persons employed in agriculture.

*Latvia.* — The rights of association and combination of persons employed in agri-

<sup>1</sup> L. S., 1924, Chile 5.

<sup>1</sup> L.S., 1926, Ind. 1.

culture, like the rights of association of all other Latvian citizens, are secured by the Act relating to unions, societies and political organisations. There are no special laws for any particular classes of citizens.

*Poland.* — Polish legislation meets the requirements of the Convention, this situation existing in virtue of Article 108 of the Constitution of the Polish Republic of 17 March 1921<sup>1</sup> which guarantees rights of association and combination to all citizens and in virtue of the Trade Union Decree of 8 February 1919 which establishes the legal existence of and endows with legal personality all trade unions which cause their statutes to be registered by the factory inspectorate. Such registration is refused only in cases where the statutes are contrary to law, the trade union purposing to further other aims than the economic or intellectual protection of the workers. The dissolution of trade unions or the suspension of their officials can only be effected in virtue of a decision of the Courts of first instance.

*Sweden.* — No legal restrictions exist preventing the enjoyment by agricultural workers of the right secured to all Swedish citizens to combine for any legitimate purpose whatsoever. The Government further mentions that in collective agreements relating to agricultural employment a clause is inserted guaranteeing the right of association both of the employer and of the worker.

III. *Application to colonies, etc.*

*Great Britain.* — The Convention has been applied in *British Guiana, Grenada,*

<sup>1</sup> L.S., 1921, Pol. 3 (extracts).

*St. Lucia, St. Vincent, Trinidad and Tobago, Straits Settlements and Ceylon.* It is considered inapplicable in all other British colonies, protectorates and possessions which are not fully self-governing.

*Italy.* — The application of the Convention has not yet been extended to the colonies.

The question does not arise in the case of *Austria, Bulgaria, Chile, Czechoslovakia, Estonia, Finland, Germany, India, Irish Free State, Latvia, Poland and Sweden.*

Convention concerning workmen's compensation in agriculture.

I.

This Convention first came into force on 26 February 1923. Reports have been received in respect of the year ended 31 December 1926 from *Bulgaria, Chile, Denmark, Estonia, Germany, Great Britain, Irish Free State, Poland and Sweden.*

The following table shows the countries which have ratified and which are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Bulgaria . . . . .	6.	3.	1925	6.	3.	1925	19.	3.	1927
Chile . . . . .	15.	9.	1925	15.	9.	1925	3.	5.	1927
Denmark . . . . .	26.	2.	1923	19.	5.	1923	17.	2.	1927
Estonia . . . . .	8.	9.	1922	26.	2.	1923	7.	2.	1927
Germany . . . . .	6.	6.	1925	6.	6.	1925 <sup>1</sup>	21.	2.	1927
Great Britain . . . . .	6.	8.	1923	6.	8.	1923	11.	2.	1927
Irish Free State . . . . .	17.	6.	1924	17.	6.	1924	5.	2.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>2</sup>	18.	3.	1927
Sweden . . . . .	27.	11.	1923	27.	11.	1923	17.	2.	1927

<sup>1</sup> The provisions of the Convention were applied in Germany by the Act of 25 May 1925.

<sup>2</sup> The report states that the Convention came into force in Poland on 23 January 1924.



ARTICLE 1 *of the Convention is as follows:*

Each Member of the International Labour Organisation which ratifies this Convention undertakes to extend to all agricultural wage-earners its laws and regulations which provide for the compensation of workers for personal injury by accident arising out of or in the course of their employment.

*Bulgaria.* — § 1 of the Social Insurance Act of 6 March 1924<sup>1</sup> provides that "every wage-earning and salaried employee of a State, public or private establishment, undertaking or estate, who is not liable to deductions from his pay under any of the Pension Acts, shall be compulsorily insured with the Social Insurance Fund in respect of accident, sickness, maternity, invalidity and old age." No distinction is thus made between agricultural and other wage-earners.

*Chile.* — The Accident Compensation Act of 8 September 1924, in the text promulgated by the Legislative Decree No. 379 of 18 March 1925<sup>2</sup>, provides in § 6 as follows: "The industries or employments in which the employer is liable for accidents, provided that he employs not less than five wage-earning employees, shall be the following: . . . (7) agricultural, forestry and cattle-keeping undertakings." The liability of the employer, which must be covered by insurance, extends to industrial accidents, other than those due to *force majeure* external to and not connected with the employment and those caused intentionally by the victim, and to occupational diseases.

*Denmark.* — The Act of 6 July 1916 (No. 205) respecting insurance against accidents as amended by the Act of 28 June 1920<sup>3</sup>, provides in § 68: "Employers, both individuals and companies, carrying on: (1) agriculture, forestry and horticulture; (2) trade in horses and cattle, studs, dairies, turf-cutting, reed cutting, marl works, threshing works, straw-pressing, pisciculture, wind and water mills; (3) supervision, advisory work, etc. in connection with undertakings of the kind named above, shall be bound to insure in accordance with the provisions of Chapters I-V and of the present Chapter, in respect to the workers employed in the said undertakings. On the proposition of the Workers' Insurance Council, the Minister of the Interior may, by notification, include under this Chapter undertakings which can be regarded as similar to those named above." It is further provided in § 69 that the obligation

to insure shall apply likewise in respect of workers in undertakings carried on as an extra source of profit subsidiary to the concerns coming under § 68, such as brick-works, gravel and marl pits, driving, stonebreaking, saw-mills, trade in horses and cattle, etc. § 70 stipulates that in the Act horticulture shall mean horticulture carried on as a business (including ornamental gardening) and work in parks, ornamental and other gardens belonging to the State or commune, or in connection with agriculture and forestry, and in private gardens of at least one hectare in size. By § 71 it is provided that compulsory insurance shall apply to every person who is engaged for wages or by the job or as an unpaid assistant, to work permanently or temporarily in the undertakings coming under §§ 68-70. The insurance applies likewise to members of the employer's family (except the wife) in so far as, in view of the nature and scope of their functions in the undertaking, those persons may be held to be in the same position as other workers, and in so far as the necessary maintenance for life is not properly secured to them on the property on which they are employed by a rent charge on the property or in some other proper way. In § 72 it is laid down that insurance shall apply to the execution of all work in the undertakings named, including driving, even when carried on outside the scope of the undertaking, work on railways in connection with the undertaking, work on roads, rivers and waterways, the repair of building, etc., done in the interests of the business or which is incumbent upon the owner of the property, as well as work in the employer's private household (unless this is entirely separated from the business) and in the personal service of the employer and his family.

*Estonia.* — The Act of 1 November 1921<sup>1</sup> regulating the hours of work and wages of agricultural workers, which applies (§ 1) to "all wage-earning employees engaged in agriculture either on the land, about the cattle, in house or garden, or in undertakings subsidiary to agriculture, with the exception of the managers of large-scale agricultural undertakings," prescribes in § 9 that Chapter 7 of the Industrial Code<sup>2</sup> shall apply to accidents met with by persons covered by the Act. Chapter 7 of the Industrial Code consists of the Act of 2 June 1903 relating to compensation for accidents in the case of workers and employees in factories, mines and metal works where only four workers or less are employed. The employer is individually liable

<sup>1</sup> L.S., 1924, Bulg. 1.

<sup>2</sup> L.S., 1925, Chile 4.

<sup>3</sup> L.S., 1920, Den. 2.

<sup>1</sup> L.S., 1921 (Part II), Est. 1.

<sup>2</sup> Russian Industrial Code, Vol. II of the Collection of Laws, Part II of 1913 edition.

for payment of compensation although the risk may be covered by insurance<sup>1</sup>.

*Germany.* — The Government states that the German laws and regulations providing for the compensation of workers for personal injury by accident arising out of or in the course of their employment already extend to agricultural workers. §§ 915 *et seq.* of the Insurance Code (text of 9 January 1926)<sup>2</sup> cover insurance against agricultural accidents, the provisions of the Code regarding industrial accident insurance applying largely to agricultural accident insurance. The special conditions of agricultural work have necessitated some special provisions, an important instance of which is the taking of an average wage, fixed according to wage groups, as the basic figure for the calculation of pensions. These special provisions, however, neither materially nor legally constitute a limitation of the principle of equality of treatment for agricultural and industrial workers.

*Great Britain.* — No new legislation or administrative regulations were necessary to give effect to the Convention. The Workmen's Compensation Act, 1900<sup>3</sup>, which extended the benefits of the Workmen's Compensation Act, 1897, to agricultural workers, came into force on 1 July 1901, and since that date no distinction has been drawn in Great Britain between agricultural and industrial workers as regards workmen's compensation. The present law is consolidated in the Workmen's Compensation Act, 1925<sup>4</sup>. This Act makes an employer liable to pay compensation to any person employed by him who, through an accident arising out of and in the course of his employment, is disabled from earning ordinary wages, or, if the accident results in death, to any persons who were dependent on the deceased. It further provides for the payment of compensation in respect

of death or disablement caused by any industrial disease which has been scheduled under the Act.

*Irish Free State.* — No legislative changes were involved by the application of the provisions of the Convention, the Workmen's Compensation Acts, 1906, 1917 and 1919 making no distinction between agricultural and industrial workers.

*Poland.* — In Poland the situation with regard to the regulation of workmen's compensation differs in the three portions of the Republic that formerly formed part of the Austrian, German and Russian Empires. In the former Austrian territories the existing Austrian legislation has been amended and maintained in force by the Polish Act of 7 July 1921. Under the Austrian Acts the workers and employees of industrial and agricultural undertakings covered were subject to insurance against accidents. The Polish Act made compulsory the insurance of all workers employed in agricultural and forestry undertakings, whether motor power is used or not. In the former Russian territories the Polish Act of 30 January 1924 extended to these districts the Acts for the compulsory insurance of workers against industrial accidents in force in former Austrian territories. This Act empowered the Minister of Labour and Social Welfare, after hearing the opinion of the Insurance Office, to fix the date or dates for the coming into force of this Act in respect of the various classes of undertakings and administrative districts. By Decrees of 7 June 1924 and 15 June 1925, the Minister fixed 1 July 1924 and 1 July 1925 as the dates of coming into force of the Act for all undertakings subject to compulsory accident insurance except the State Railways. In the former Prussian territories the insurance system in force is that set up in Book III (§§ 915-1045) of the German Insurance Code (*Reichsversicherungsordnung*) of 19 July 1911, modified by a series of decrees and by the Polish Act of 2 July 1921 in virtue of which the Insurance Office provides protection against industrial accidents in agriculture in the districts of Posen and Pomerania, and the accident insurance section of the Social Insurance Institution performs the same functions in Upper Silesia. All agricultural and forestry undertakings in Poland are, therefore, now subject to accident insurance except those of less than 30 hectares in former Russian and Austrian Poland. In the case of undertakings of not more than 30 hectares the application of the provisions of the Act of 30 January 1924 was postponed in order to permit a modification in the bases of accident insurance in the case of small agricultural undertakings, by which modification contributions will be collected by the

<sup>1</sup> Industrial undertakings employing five or more workers are covered by the Act of 23 June 1912 as amended by the Acts of 18 June 1917, 3 February 1920 and 4 April 1923, under which insurance is compulsory.

<sup>2</sup> L. S., 1926, Ger. 1.

<sup>3</sup> "An Act to extend the benefits of the Workmen's Compensation Act, 1897, to workmen in Agriculture .....

(1) From and after the commencement of this Act, the Workmen's Compensation Act, 1897, shall apply to the employment of workmen in agriculture by any employer who habitually employs one or more workmen in such employment .....

(3) .....  
The expression "agriculture" includes horticulture, forestry and the use of land for any purpose of husbandry, inclusive of the keeping or breeding of live stock, poultry, or bees, and the growth of fruit and vegetables."

<sup>4</sup> L.S., 1925, G. B. 3.



communes. Provisions dealing with this point have been prepared by the Ministry of Labour and Social Welfare in connection with the Bill relating to compulsory health, maternity, invalidity and life insurance, which will be in conformity with the Conventions adopted by the Conference at its Seventh Session. Meanwhile, provisions for compensation for accidents occurring on agricultural undertakings of less than 30 hectares have been included in collective agreements regulating conditions of labour and wages.

*Sweden.* — The Act of 17 June 1916 respecting insurance against industrial accidents<sup>1</sup> covers agricultural as well as other workers. By § 2 of the Act a worker is held to be "any person who is employed for wages on account of another in such manner that in his relations with the latter he cannot be regarded as an independent contractor, and also any person who, in order to procure training in the trade, performs such work without remuneration."

### III. Enforcement of legislation.

*Bulgaria.* — The supervision of the enforcement of the Social Insurance Act is entrusted to the factory inspectors, who have one assistant for every 2000 workers in their districts. Contraventions of the Act are punishable by fines which may amount to 10,000 levas.

*Chile.* — The General Labour Directorate exercises supervision over the application of the Accident Compensation Act and over the working of the accident insurance societies through a special "industrial accidents section."

*Denmark.* — In accordance with § 76 of the Act of 28 June 1920, it is the duty of the inspecting staff appointed under the Factory Act of 29 April 1913<sup>2</sup>, including the communal inspectors, to see that the obligations relating to insurance are fulfilled in the concerns under their inspection. In the case of other undertakings the inspection in question is carried out by the police. The factory inspectors report to the Chief of Police of the district any contraventions of the law that have come to their notice. § 77 of the Act of 28 June 1920 provides that breaches of the Act shall be punished by fines of from 15 to 500 kr. Penal cases are treated as police cases.

*Estonia.* — The application of the relevant provisions of the Act of 1 November 1921 is ensured by the supervision of the factory inspectors and by the right of vic-

tims of accidents to take proceedings in the civil courts.

*Germany.* — The enforcement of the provisions regarding accident insurance in agriculture is secured by the same measures as in other branches of accident insurance. Occupational associations are insurance carriers, but, in the case of accidents in works carried on behalf of the Reich or of one of the States, the Reich or the State concerned is the carrier (§ 957 of the Insurance Code). Supervision of insurance carriers is entrusted to the Reich Insurance Office (§ 985 of the Insurance Code), in certain specified cases to the State Insurance Office (§ 986 of the Insurance Code), and, where the Reich or a State is the carrier, to the competent Minister of the Reich or to the State superior administrative authority (§§ 892 and 894 of the Insurance Code).

*Great Britain.* — The application of the legislation relating to workmen's compensation is entrusted to the Home Office. All claims for compensation under the Workmen's Compensation Act may be settled by agreement between the employer and workman, which agreement has to be registered by the Registrar of a County Court (in Scotland, the Clerk to the Sheriff Court). In default of agreement, the claim for compensation can be settled in one of the following ways: (a) by proceedings in the County Court (in Scotland, the Sheriff Court), (b) by arbitration before a private arbitrator agreed to and appointed by the parties, (c) by arbitration before a committee representative of the employer and his workers if such a committee has been set up.

*Irish Free State.* — The Department of Industry and Commerce is responsible for the administration of the Workmen's Compensation Acts, but the Judges and Court Officers are concerned with matters arising out of the settlement of claims. In default of agreement between the employer and worker, or arbitration either by a committee representative of employers and workers or by a single arbitrator, the settlement of compensation claims under the Workmen's Compensation Acts and of matters arising therefrom is a matter for the Judge of the Circuit Court whose decision is subject to appeal by either party to the High Court with a right of further appeal in certain circumstances to the Supreme Court.

*Poland.* — The supervision of the application of the relevant legislation is within the competence of the Ministry of Labour and Social Welfare for the whole of Polish territory with the exception of the Upper Silesian part of the province of Silesia, where supervision is exercised by the Provincial Social Insurance Office.

<sup>1</sup> B.B., Vol. XI, 1916, pp. 267-277.

<sup>2</sup> B.B., Vol. VIII, 1913, p. 324.

*Sweden.* — The application of the Act of 17 June 1926 is under the control of the State Insurance Office and the Insurance Council. Should an employer fail to insure his workers, the latter are automatically insured by the State Insurance Office.

#### IV. *Application to colonies, etc.*

*Denmark.* — Ratification does not apply to *Greenland*.

*Great Britain.* — The Convention has been applied in *British Guiana, Grenada* and *St. Vincent*. In *Trinidad and Tobago* Workmen's Compensation Ordinances (Nos. 8 and 30) were passed in 1926. It is provided in § 2 (1) *g* of Ordinance No. 8 that the Ordinance shall not extend to "persons employed in agriculture, except so far as such employment is in connection with any engine or machine worked by mechanical power." Legislation in regard to workmen's compensation is under consideration in the *Federated Malay States*. The Convention is considered inapplicable, even with modifications in accordance with local conditions, in the other British colonies, protectorates and possessions which are not fully selfgoverning.

The question does not arise in the case of *Bulgaria, Chile, Estonia, Germany, Irish Free State, Poland* and *Sweden*.

### Convention concerning the use of white lead in painting.

#### I.

This Convention first came into force on 31 August 1923. Reports have been received in respect of the year ended 31 December 1926 from *Austria, Bulgaria, Czechoslovakia, Estonia, Latvia, Poland, Rumania, Spain* and *Sweden*.

The Government of *Bulgaria* reports that the provisions of the Convention are applied within the limits of the Health and Safety of Workers Act of 1917, but that as the provisions of this Act are not equivalent to those of the Convention, the Ministry of Commerce, Industry and Labour is preparing a Bill with a view to securing the complete application of the Convention. This Bill will be passed before the expiry of the period referred to in Article 4 of the Convention, i.e. before 20 November 1927.

No report upon the application of this Convention has been received from *Chile*.

The report of the Government of *Estonia* states that a Bill to give effect to the provisions of the Convention has been brought before the Council of Ministers, but has not yet been voted by the State Assembly.

The *Latvian* report states that "up to the present there are no legislative or administrative measures in Latvia prohibiting the use of white lead or sulphate of lead in painting. In connection with the ratification of the Convention a Bill has been drafted dealing with the sale of white lead and its use in painting. This Bill contains all the provisions of the Convention." The report adds that Latvia has no statistics showing cases of lead poisoning among workers.

The *Polish* Government reports that an Order of the President of the Republic will shortly be issued providing for the uniform application of the provisions of the Convention throughout the Republic.

The Government of *Rumania*, in reply to the letter of the Office of 17 December 1926 forwarding the forms for annual reports, states in a communication dated 17 March 1927 that the provisions of this Convention "have not yet been rendered effective by legislation, as a consequence of the fact that, in Rumania, white lead has been replaced in most painting work by products the basis of which is zinc so that all danger of lead poisoning is avoided." Nevertheless the question is being studied with a view to legislation by the Ministry of Labour, Cooperation and Social Insurance.

The Government of *Spain* reports that a Royal Decree to provide that the use of white lead, sulphate of lead and all products containing these pigments shall be prohibited in Spain in the interior painting of buildings as from 1 November 1928, subject to the exceptions laid down in this Decree, was issued on 19 February 1926<sup>1</sup>.

In previous reports, the Government of *Sweden* had stated that in that country, so far as could be ascertained, the pigments covered by the Convention were not used in the internal painting of buildings. Nevertheless, to secure the application of the prohibition, the Department for Social Affairs towards the end of 1923 instructed the factory inspectors to see that the provisions of the Convention were applied. In its report for the year 1926 the Government states that the Bill, which was mentioned in the preceding report as having

<sup>1</sup> L. S., 1926, Sp. 3.



been submitted to the Riksdag, has been adopted and promulgated on 19 February 1926 as an Act to prohibit, in certain cases, the employment of workers in painting work in which lead colours are used<sup>1</sup>.

<sup>1</sup> L.S., 1926, Swe. 1.

According to its § 14, this Act came into force on 1 July 1926.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Austria . . . . .	12.	6.	1924	20.	7.	1924 <sup>1</sup>	11.	3.	1927
Bulgaria . . . . .	6.	3.	1925	— <sup>2</sup>			19.	3.	1927
Chile . . . . .	15.	9.	1925	— <sup>2</sup>			— <sup>2</sup>		
Czechoslovakia . . . . .	31.	8.	1923	31.	4.	1924 <sup>3</sup>	28.	2.	1927
Estonia . . . . .	8.	9.	1922	— <sup>2</sup>			7.	2.	1927
Latvia . . . . .	9.	9.	1924	— <sup>2</sup>			12.	2.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>4</sup>	18.	3.	1927
Rumania . . . . .	4.	12.	1925	— <sup>2</sup>			21.	3.	1927
Spain . . . . .	20.	6.	1924	19.	2.	1926 <sup>2</sup>	13.	4.	1927
Sweden . . . . .	27.	11.	1923	27.	11.	1923 <sup>2</sup>	17.	2.	1927

<sup>1</sup> In accordance with Article 49 of the Constitution, the Convention was published in the *Bundesgesetzblatt* of 19 July 1924 and came into force the next day.  
<sup>2</sup> See introductory note above.

<sup>3</sup> Date of publication of the Convention as No. 74 of the Collection of Acts and Orders.  
<sup>4</sup> The report states that the Convention came into force in Poland on 23 January 1924. See also introductory note above.

II. Legislation.

ARTICLE 1 of the Convention is as follows :

Each Member of the International Labour Organisation ratifying the present Convention undertakes to prohibit, with the exceptions provided for in Article 2, the use of white lead and sulphate of lead and of all products containing these pigments, in the internal painting of buildings, except where the use of white lead or sulphate of lead or products containing these pigments is considered necessary for railway stations or industrial establishments by the competent authority after consultation with the employers, and workers' organisations concerned.  
It shall nevertheless be permissible to use white pigments containing a maximum of 2 per cent. of lead expressed in terms of metallic lead.

*Austria.* — The Order of the Federal Ministry of Social Administration of 8 March 1923, under § 74a of the Industrial Code, issuing regulations for the protection of the life and health of persons employed in painting, varnishing and decorating carried on by way of trade<sup>1</sup> lays down under § 5 (1) that "white lead, lead sulphate, and products of which substances containing lead are ingredients, shall not be used in the interior painting of buildings. Railway stations, and industrial undertakings where the use of white lead, lead sulphate or products containing these colouring matters is certified as necessary by the industrial authorities, after consult-

ation with the chambers of commerce, crafts and industry and the wage-earning and salaried employees' councils, shall be an exception hereto." § 5 (2) specifies that the use of white lead and other colours containing lead is permitted for external painting only when necessary for protection against the influence of weather and water.

*Bulgaria.* — See introductory note.

*Czechoslovakia.* — Before the ratification of the Convention, the use of white lead in painting was regulated in the former Austrian provinces of Bohemia, Moravia and Silesia by the Order of 15 April 1908<sup>1</sup>. In order to extend the provisions of this Order to the remainder of the territory of Czechoslovakia and to bring them into conformity with the Convention, the Act of 12 June 1924<sup>2</sup> issuing regulations for the protection of the life and health of persons employed in painting, varnishing and decorating was adopted and came into force on 28 September 1924. § 1 of this Act prohibits the use of white lead and other pigments and putty containing lead in internal painting, varnishing and decorating work. Internal painting is defined as "all painting which, on account of the use to which it is put, is not exposed directly to the influence of the

<sup>1</sup> L.S., 1923, Aus. 1 (D).  
<sup>2</sup> B.B., Vol. III, 1908, p. 31.  
<sup>2</sup> L.S., 1924, Cz. 1.

weather either permanently or during the greater part of the time." It is provided in § 2 that this prohibition is not to apply to "(b) railway stations, vehicle-works and other industrial undertakings where the use of white lead and other pigments and putty containing lead is certified as necessary by the competent industrial inspection office after consultation with the organisations of employers and workers; (c) painting in places where the paint is much exposed to the effects of steam or other vapours; (d) work in the application of the first coat in cases of mere touching-up of old white paint containing lead." The Government reports that the exception (c) has inserted "in view of its practical necessity and of the analogy which it presents with external painting." Permits to use white lead under § 2 (b) are granted by the industrial inspectorate, which notifies permits granted to the competent industrial authority, this body being entitled to reverse the decision of the inspectorate, and refers to this authority for decision applications which it considers should be refused (§ 12). § 2 (1) of the Act permits the use of white paints containing not more than 2 per cent. of lead expressed in terms of metallic lead.

*Poland.* — The application of the provisions of the Convention rests temporarily on the different laws of the States of which Poland once formed part, as supplemented by measures taken by the Polish authorities: (a) In that part of Poland which formerly was part of Russia, the Minister of Public Health, in agreement with the Minister of Labour and Social Welfare and in accordance with the fundamental Health Act of 19 July 1919 and the Infectious Diseases Act of 25 July 1919, issued the Order of 20 September 1920<sup>1</sup>, in virtue of which every case of lead poisoning must be notified within twenty-four hours to the competent communal authorities. These authorities, or their health officers, must proceed to make an enquiry, the results of which they communicate to the district health office. This latter office in its turn notifies the factory inspector, enquires together with the inspector whether preventive measures have been taken, and orders such further measures as are necessary. (b) In that part of Poland which formerly was part of Austria the legislation relating to white lead consists of the above-mentioned Order of 20 September 1920 and an earlier Order issued by the Minister of Commerce in agreement with the Minister of the Interior and dated 15 April 1908<sup>2</sup>. This last Order stipulates in § 24 that "no white lead or paints, colours and cement containing lead shall be used by way of trade for interior work." Paints for

interior work are defined as "those intended for use, permanently or principally, in places where they will not be directly exposed to the open air." It is further provided in the same section that exceptionally the industrial authority may authorise the use of the prohibited substances "in the case of operations which would otherwise be done abroad." In such cases the necessary measures of precaution must be laid down. (c) In that part of Poland which formerly was part of Prussia, in addition to the above mentioned Order of 20 September 1920, there is in force a German Order of 27 June 1905<sup>1</sup> respecting undertakings carrying out painting and varnishing work, etc. This Decree lays down measures of precaution to be taken in connection with lead dust, in the preparation of lead paints, etc. See also introductory note.

*Spain.* — The Royal Decree of 19 February 1926 provides in § 1 that the use of white lead, sulphate of lead and all products containing these pigments in the interior painting of buildings shall be prohibited on and after 1 November 1928. By § 2 work on railway stations and industrial establishments in which the use of white lead, etc. is certified as necessary by the Minister of Labour, after enquiry as provided for in § 4, shall be excepted. The enquiry in question was to be instituted by the Minister of Labour, Commerce and Industry in order that all employers' and workers' organisations might notify the cases in which the use of white lead, etc. should be permitted in the interior painting of industrial establishments. The exception permitted by the second paragraph of Article 1 is also permitted by § 2 of the Decree.

*Sweden.* — According to § 1 of the Act of 19 February 1926, the Act applies to all painting work which is not exempted from the application of the Act of 29 June 1912 respecting the protection of workers<sup>2</sup>. This latter Act applies to every occupation, industrial or otherwise, in which workpeople are employed for work for an employer as well as in the building of houses, roads or water-works, water courses or any similar undertaking in which workpeople are employed for such purposes. The Act does not apply to (a) work which is undertaken in the labourer's dwelling or elsewhere under such conditions that it cannot be considered as the employer's responsibility to supervise the arrangements for such work; (b) work which is undertaken by a member of the employer's family; and (c) work which is done by sailors or which

<sup>1</sup> L.S., 1920, Pol. 2.

<sup>2</sup> B.B., Vol. III, 1908, p. 31.

<sup>1</sup> French translation in B.B., Vol. IV, 1905, p. 198.

<sup>2</sup> B.B., Vol. VIII, 1913, p. 84.



is in connection with nautical service, whether the work is done on board ship or otherwise. The Act of 19 February 1926 lays down, among other things (§ 1), that for the purposes of the Act "lead colours" shall be deemed to mean lead carbonate (white lead), lead sulphate and other pigments containing lead carbonate or lead sulphate. § 2 of the Act lays down that male workers under the age of eighteen years and women shall not be employed in painting work in which lead colours are used. Male workers who have attained the age of eighteen years may not be employed in the interior painting of buildings with lead colours unless the quantity of lead carbonate or lead sulphate in the lead colours used is such that they do not contain more than 2 per cent. of lead. § 3 provides that the chief industrial inspection authority, after hearing the employers' and workers' organisations concerned, may authorise exceptions to the prohibition of the employment of white lead in the interior painting of buildings connected with railway stations or industrial establishments where such exceptions are considered necessary.

*ARTICLE 2 of the Convention is as follows:*

The provisions of Article 1 shall not apply to artistic painting or fine lining.

The Governments shall define the limits of such forms of painting, and shall regulate the use of white lead, sulphate of lead, and all products containing these pigments, for these purposes in conformity with the provisions of Articles 5, 6 and 7 of the present Convention.

*Austria.* — The report states that the Austrian Order of 8 March 1923 permits no exceptions in connection with artistic painting or fine lining.

*Bulgaria.* — See introductory note.

*Czechoslovakia.* — In virtue of § 2 (2) (a) of the Act of 12 June 1924 the prohibition of the use of white lead does not apply to "decoration and sign-painting and fine lining."

*Poland.* — The various Orders in force do not contain the exception provided by Article 2 of the Convention. See also introductory note.

*Spain.* — § 2 of the Royal Decree of 19 February 1926 provides that prohibition is not to apply to artistic painting and fine lining. The report states, however, that the use of white lead in these processes is regulated by §§ 4, 5 and 7 of the Decree.

*Sweden.* — The Act of 19 February 1926 lays down in § 2 that the provisions prohibiting the employment of male workers who have reached eighteen years

of age in the interior painting of buildings with lead colours shall not apply to artistic painting or fine lining.

*ARTICLE 3 of the Convention is as follows:*

The employment of males under eighteen years of age and of all females shall be prohibited in any painting work of an industrial character involving the use of white lead or sulphate of lead or other products containing these pigments.

The competent authorities shall have power, after consulting the employers' and workers' organisations concerned, to permit the employment of painters' apprentices in the work prohibited by the preceding paragraph, with a view to their education in their trade.

*Austria.* — The Order of 8 March 1923 prohibits by § 6 the employment of young persons under eighteen years and women in painting, varnishing and decorating work in which, in accordance with § 5, the use of white lead or other compounds containing lead has been authorised. Furthermore, young persons under eighteen years of age must not be employed in cleaning work-rooms or working clothes. The Order of 8 March 1923 contains no exceptions for apprentices as permitted by Article 3, second paragraph, of the Convention.

*Bulgaria.* — The Minister of Commerce, Industry and Labour may propose, after consultation with the Superior Labour Council, and it may be ordered by Royal Decree in virtue of § 16 of the Health and Safety of Workers Act of 1917<sup>1</sup>, that the employment of males under eighteen years of age and of all females shall be prohibited in work recognised to be of a dangerous or unhealthy character. See also introductory note.

*Czechoslovakia.* — By § 3 (1) of the White Lead Act the employment of young persons under eighteen years of age and of women is prohibited in work where the use of white lead and other pigments and putty containing lead is permitted. The competent industrial inspection offices are empowered under § 3 (2), after consulting the organisations of employers and workers, to "permit the employment of apprentices under eighteen years of age on work otherwise prohibited for them by the provisions of this Act, with a view to their training in their trade, in so far as such work is necessary for the full achievement of the purpose of their apprenticeship, provided that they shall not be so employed for more than six weeks." Permits for the purpose of § 3 (2), if granted, must be notified to the competent authority, which is entitled to reverse the decision taken by the inspectorate and must be referred to this authority for decision in cases where the inspectorate considers the application should be refused (§ 12).

<sup>1</sup> B.B., Vol. XIII, 1918, p. 28.

*Poland.* — The Order of 15 April 1908 which is in force in that part of Poland which formerly belonged to Austria stipulates in § 5 that “women and young persons shall not be employed in the execution of painting, varnishing or decorating work in which the use of white lead or lead compounds is permissible or has been sanctioned in pursuance of § 4.” § 5 (3) lays down that an exception shall apply in the case of young apprentices who have completed the fourteenth year of their age in so far as their employment in the processes contemplated in the first paragraph of this Section is necessary for the purpose of teaching them the trade. Notwithstanding, no such person shall be so employed for more than six weeks altogether.” See also introductory note.

*Spain.* — § 3 of the Royal Decree of 19 February 1926 provides that on and after 1 November 1928 the employment of young persons under the age of eighteen years and women shall be prohibited in painting work of an industrial character involving the use of white lead, etc. The employment of painters’ apprentices in such work may be authorised by way of exception by a Royal Order of the Ministry of Labour, Commerce and Industry issued after making the enquiry provided for in § 4. This enquiry is to give all employers’ and workers’ organisations the opportunity of stating their opinion on the rules to be adopted for the employment of painters’ apprentices in prohibited work.

*Sweden.* — § 2 of the Act of 19 February 1926 provides that male workers under the age of eighteen years and women may not be employed in painting work in which lead colours are used. By § 3, however, the chief inspection authority, after hearing the employers’ and workers’ organisations concerned, may authorise the employment of male workers under the age of eighteen years in painting work where this is necessary for their trade training, provided that the work is such that male workers who have attained the said age may be employed therein in conformity with the Act.

#### ARTICLE 4 of the Convention is as follows:

The prohibitions prescribed in Articles 1 and 3 shall come into force six years from the date of the closure of the Third Session of the International Labour Conference.

*Austria.* — The Order of 8 March 1923, the provisions of which correspond with those of Articles 1 and 3 of the Convention, came into force on 7 April 1923, the date of promulgation of the Order. The Austrian report adds that the prohibition of the use of white lead in internal painting was already in operation in Austria by virtue of the Order of 15 April 1908.

*Bulgaria.* — See introductory note.

*Czechoslovakia.* — All the provisions of the White Lead Act came into operation, in accordance with § 14, three months after its promulgation on 28 June 1924, i.e. on 28 September 1924.

*Poland.* — The provisions of the Order of 15 April 1908 in force in the part of Poland that formerly belonged to Austria, and prohibiting the use of white lead and other colours and putties containing lead in internal painting, came into force by the terms of § 13 of the Order in question on 1 April 1909. See also introductory note.

*Spain.* — § § 1 and 3 of the Royal Decree of 19 February 1926 provide that the prohibitions therein stipulated shall come into force on 1 November 1928.

*Sweden.* — The Act of 19 February 1926 came into force, under the terms of § 14, on 1 July 1926.

#### ARTICLE 5 of the Convention is as follows:

Each Member of the International Labour Organisation ratifying the present Convention undertakes to regulate the use of white lead, sulphate of lead and of all products containing these pigments, in operations for which their use is not prohibited, on the following principles:

- I. (a) White lead, sulphate of lead, or products containing these pigments shall not be used in painting operations except in the form of paste or of paint ready for use.
- (b) Measures shall be taken in order to prevent danger arising from the application of paint in the form of spray.
- (c) Measures shall be taken, wherever practicable, to prevent danger arising from dust caused by dry rubbing down and scraping.
- II. (a) Adequate facilities shall be provided to enable working painters to wash during and on cessation of work.
- (b) Overalls shall be worn by working painters during the whole of the working period.
- (c) Suitable arrangements shall be made to prevent clothing put off during working hours being soiled by painting material.
- III. (a) Cases of lead poisoning and of suspected lead poisoning shall be notified, and shall be subsequently verified by a medical man appointed by the competent authority.
- (b) The competent authority may require, when necessary, a medical examination of workers.
- IV. Instructions with regard to the special hygienic precautions to be taken in the painting trade shall be distributed to working painters.

*Austria.* — I (a). In § 8 (1) and (2) of the Order of 8 March 1923, the grinding of white lead and lead sulphate is authorised only in establishments certified by the competent industrial authorities as suitable.



These lead compounds must not be introduced into other undertakings until they have been ground with oil or varnish. In all undertakings, white lead, lead sulphate and products containing these colours may be used only in a damp condition or as paint ready for use. I (b). §§ 9 and 10 of the Order provide that respirators are to be worn by persons working with white lead, etc., for work where much dust is raised. I (c). § 8 (3) stipulates that dry paint containing lead or putty must "not be scraped down or pumiced until it has been damped. The scraped-off substance and the fragments falling during the process of scraping" must be removed while still damp. II (a). § 9 (2) provides that "every occupier of an undertaking shall furnish the persons working with white lead, other compounds containing lead or other poisonous substances with a sufficient supply of good water for drinking and washing, wash-bowls, brushes, soap and towels." II (b). §§ 9 (1) and 10 (2) of the Order lay down that the occupier of the undertaking must see that the workers using white lead, other compounds containing lead or other poisonous substances, use special working clothes and head coverings, which must be properly cleansed. In establishments where more than 20 workers are employed the occupier of the undertaking is required to furnish the workers in question with the suitable working clothes and head coverings and to see that they are cleansed regularly by a wet process. For their part the workers are required to use the working clothes and head coverings provided for them in accordance with the regulations. II (c). § 3 lays down that if in an establishment more than 20 painters, varnishers and decorators are employed the occupier is obliged to provide these workers with special lavatories and cloak-rooms which can be heated, with arrangements for storing garments and a mess-room, and to see that these rooms are always kept clean. III (a) and (b). § 11 (4) provides that the occupier of the undertaking is to see that the workers employed on work with white lead, other compounds containing lead or other poisonous substances "are examined by a medical practitioner at least once every three months for signs of illness due to lead or other poisoning, and that they are referred to the medical practitioner of the sick fund forthwith on the appearance of the first signs of such illness." The medical examination is held outside working hours and each examination together with its results is entered in the register kept in virtue of § 11 (2). This register must be submitted to the State supervising officials on request. IV. § 11 (1) of the Order provides that the Order "shall be affixed in an easily accessible place and kept at all times in a legible condition." It is further provided that a copy of the

notice which is printed as an appendix to the Order and which contains instructions relating to the special hygienic precautions that should be taken must be supplied on engagement to every worker employed in work with white lead, other compounds containing lead or other poisonous substances.

*Bulgaria.* — I. See introductory note. II. Under the general provisions of the Health and Safety of Workers Act, 1917, workers whose work brings them into contact with machines, apparatus, liquids, gases, etc., which are dangerous to health or life, must be provided with special clothing and every possible protective device, masks, gloves, glasses, etc. which the nature of the work permits (§ 8). In § 9 it is stipulated that the necessary provision is to be made for drinking and washing water, for disposal of clothing, etc. III. The Government reports that lead poisoning is held to be an occupational disease for the purposes of the Social Insurance Act. As regards medical examination of workers, § 22 of the Health and Safety of Workers Act provides that every undertaking employing more than 10 workers must have a medical officer chosen and paid by the employer but appointed and dismissible by the Ministry of Commerce, Industry and Labour; it is the duty of the medical officer to supervise the health of the workers in the undertaking and to keep a health register. § 24 lays down that special municipal workers' doctors shall be appointed by communes in which there are more than 1000 workers.

*Czechoslovakia.* — I (a). § 5 (2) of the Act of 12 June 1924 prescribes that "white lead and other pigments and putty containing lead.... shall not be used.... except in the form of paste or of paint ready for use." I (b). § 5 (6) lays down that "the employer shall provide the workers with suitable respirators for work involving the raising of much dust", and § 7 (1) prescribes that the workers are to use such respirators. I (c). § 5 (4) provides that "dry paint or putty containing lead shall not be scraped or rubbed down until it has been damped. The scraped-off substance and the fragments falling during the process of scraping shall be removed while still damp." II (a). § 4 (2) of the Act provides that in industrial undertakings usually employing not less than 15 workers a separate lavatory capable of being heated must be supplied, while § 4 (4) lays down that workers using white lead or other pigments, putty and similar substances containing lead must be provided by the employer with suitable wash-bowls (as a rule at least one for every five workers) with water laid on (hot water wherever possible), soap, nail brushes and a towel for each worker, to be changed at least once



a week. § 7 (2) of the Act provides that the workers must cleanse faces, mouths and hands thoroughly before meals and when work is over. II (b). § 4 (4) prescribes that the employer shall see that the workers using white lead or other pigments, putty and similar substances containing lead wear special working clothes and head coverings and that in undertakings usually employing not less than 15 workers he shall provide the working clothes and provide for their cleaning at his own expense. § 7 (1) of the Act obliges the said workers to wear such clothes and head coverings. II (c). § 4 (2) of the Act provides that in undertakings usually employing not less than 15 workers a separate cloak-room capable of being heated must be provided with suitable arrangements for storing working clothes and out-door clothes separately, while § 4 (3) stipulates that in establishments with a smaller number of workers the workers shall be provided at least with clothes lockers which can be securely closed and which are arranged so that working clothes and out-door clothes can be kept apart. III (a) and (b). It is provided in § 8 (2, 5 and 6) of the Act that a worker who shows signs of lead poisoning must be sent at once by the employer to the sick fund medical officer, that if a worker is certified as suffering from lead poisoning the employer must submit to the competent authority without delay a copy of the relevant particulars contained in the register of workers using white lead, etc., provided for in § 8 (1), and that the district or communal medical officer must examine any worker known or suspected to be suffering from lead poisoning and report his observations to the industrial authority and, if so requested, to the Industrial Inspection Office. Under § 8 (3-4) the employer is required to see that workers usually engaged in handling white lead, etc., are medically examined at least once in six months. The result of each such examination must be entered in the register provided for in § 8 (1). IV. § 11 provides that a copy of the White Lead Act is to be posted in a conspicuous place in work-rooms where white lead, etc., is used and that every worker employed on work involving the use of these products must on entering employment be given free of charge a copy of the instructions dealing with lead poisoning, its causes and methods of prevention, which are appended to the Act.

*Poland.* — I (a). No precisely identical provisions are found in the Austrian Order of 15 April 1908 and the German Order of 27 June 1905 which are in force in the former Austrian and Prussian provinces of Poland. Nevertheless, provision is made in both cases for the mechanical grinding of white lead and for the prevention of the generation of dust. I (b). The Austrian

Order of 1908 provides in § 8 that respirators must be provided for workmen employed in processes with lead or lead compounds in which a great quantity of dust is generated. I c). § 7 (2) of the Austrian Order of 15 April 1908 lays down that "the grinding or pumication of any colour or cement containing lead shall only be done after such materials have first been damped. The ground mass and the refuse arising in the process of grinding shall be removed while still damp"; whilst the Order of 27 June 1905, in force in the former Prussian territory, provides in § 3 that dry paint containing lead may not be scraped or rubbed down until it has been damped, and that the scraped-off substance and other fragments resulting from the process of rubbing down and scraping must be removed before they are dry. II (a). The Orders in force in Poland contain provisions relating to washing facilities. II (b). § 8 of the Austrian Order of 1908 stipulates that "the employer shall see that workmen who work with lead or lead compounds wear the special clothing and head coverings during work, which must be properly cleaned. In industrial undertakings where more than 20 persons are employed the employer shall provide the necessary clothing and head coverings and shall cause them to be periodically cleaned." The German Order of 1905 prescribes in § 4 that the employer is to see that workers who come into contact with lead colours are provided with painters' overalls and head coverings and that they wear these garments whilst at work. II (c). In that part of Poland which is covered by the Austrian Order of 1908 undertakings where more than 20 painters, varnishers and decorators are employed, and where white lead is used, must have suitable heated lavatories and cloak-rooms in which clothing can be kept. Where the German Order of 1905 is still in force the employer is under an obligation to provide cloak-rooms which can be heated and which contain clothes cupboards. III (a) and (b). § 11 of the Order of 1908 lays down that "the employer shall see that the workman... shall, on showing the first symptoms of lead poisoning, be referred without delay to the medical officer of the sick club. In undertakings where more than 20 persons are employed the employer shall see that such persons as are engaged in processes which involve the use of lead or lead compounds shall be examined at least once every three months by a medical practitioner to see whether they show any signs of lead poisoning". The Order of 1905 in force in former German territory provides in §§ 10 and 11 for the appointment for each establishment of a medical officer, accepted by the administrative authorities, who must examine the workers at least once in six months, and for the keeping of a medical register which must



be produced at the request of the inspecting authorities. In addition, the Order of 20 September 1920, which applies throughout Poland, provides for the notification and verification of cases of lead poisoning. IV. The Orders in force in the former Austrian and German provinces provide for the distribution to the worker on engagement of a special notice dealing with the dangers of lead poisoning and the measures to be taken to prevent it. See also introductory note.

*Spain.* — § 5 of the Royal Decree of 19 February 1926 provides that, as from the date of promulgation of the Decree, the use of white lead, sulphate of lead and all products containing these pigments shall be regulated. The general principles of such regulation are laid down in § 5, and it was further provided in § 9 that the Ministry of Labour, Commerce and Industry should issue the necessary regulations for the administration of the Decree within six months. I (a). § 5 (1) provides that white lead, etc., may only be used in the form of paste or of paint ready for use, and § 5 (2) stipulates that all receptacles containing white lead, etc., shall be conspicuously labelled as containing poison. I (b). § 5 (3) provides that measures shall be taken to prevent danger arising from the application of paint in the form of spray. I (c). § 5 (5) stipulates that white lead paint shall not be scraped or rubbed down dry, and the burning off of layers of old paint containing white lead, etc., is also prohibited. The regulations are to specify the cases in which damp scraping and rubbing down are impossible and the precautions which must be taken in such cases. II. § 5 (6) provides that rules are to be laid down regarding the measures of cleanliness to be used by working painters who handle white lead, etc. III. By § 6 cases of lead poisoning and of suspected lead poisoning must be subsequently verified by a medical practitioner appointed by the chief officer of the provincial public health authority concerned, and the said authority may require the workers to be medically examined whenever it considers this necessary. Medical men must at once notify the provincial public health inspector of cases of lead poisoning or of suspected lead poisoning which come to their notice. IV. § 7 provides that the labour inspectorate is to distribute to working painters instructions having the force of regulations respecting the special hygienic precautions to be observed in the painting trade.

*Sweden.* — I (a). The Act of 19 February 1926 lays down, in § 4 (a), that pigments shall not be used by the workers except in the form of paste or of paint ready for use. I (b) and (c). § 4 (b) of the Act provides that measures shall be taken

as far as possible to prevent poisoning through the application of paint in the form of spray and in dry scraping and dry rubbing down. II (a). § 4 (c) lays down that adequate washing facilities shall be provided for the use of the workers, both during and after work. II (b). § 4 (d) provides that the workers shall wear special working clothes during the whole of the working period. II (c). § 4 (e) provides that the necessary arrangements shall be made to prevent the clothes taken off by the workers during work from being soiled by lead colours. III (a). § 5 of the Act lays down that cases of lead poisoning or of suspected lead poisoning shall be notified in writing by the employer to the chief industrial inspection authority as soon as they come to his notice. Medical practitioners in State or communal employment who attend working painters suffering from the above-mentioned diseases are similarly bound to notify such cases. The form for such notification shall be drawn up by the chief industrial inspection authority after consultation with the Medical Board. III (b). In § 6, the Act provides that when a notification as specified in § 5 has been made, and also in other cases where it is considered necessary, the chief industrial inspection authority shall propose to the competent provincial authority (*länsstyrelse*) that all or some of the working painters at a particular workplace or in the employment of a particular employer be medically examined. If such a proposal is made, the provincial authority must at once order a medical examination to be made in conformity with the proposal. § 7 provides that a medical practitioner who makes an examination as provided in § 6 may lay down special conditions for the employment of workers who are suffering from lead poisoning in work in which lead colours are used or prohibit altogether their employment in such work, or may even issue special rules for the continuance of such work at the workplace. Any such special instructions shall be communicated to the employer in writing. The employer may require the chief industrial inspection authority to prove the necessity for such instructions. Nevertheless, until other instructions are issued by the said authority, he shall comply with the said instructions. If the instructions are altered or cancelled, the chief industrial authority shall notify the employer thereof in writing. The medical practitioner shall make a report to the chief industrial inspection authority respecting the examination. IV. § 4 of the Act lays down that the instructions drawn up by the chief industrial inspection authority for the prevention of illness as a result of the use of lead colours in painting work shall be distributed by the employer to every worker whom he employs in work in which such colours are used.

ARTICLE 6 of the Convention is as follows :

The competent authority shall take such steps as it considers necessary to ensure the observance of the regulations prescribed by virtue of the foregoing Articles, after consultation with the employers' and workers' organisations concerned.

No special information has been communicated under this Article. See ARTICLE 5.

ARTICLE 7 of the Convention is as follows :

Statistics with regard to lead poisoning among working painters shall be obtained :

(a) As to morbidity — by notification and certification of all cases of lead poisoning.

(b) As to mortality — by a method approved by the official statistical authority in each country.

*Austria.* — The report states that Austria does not possess the statistics required by this Article of the Convention. The Ministry of Social Administration (Office of Public Health) intends to issue an Order, in accordance with Articles 5 and 7 of the Convention, making it obligatory to notify cases of sickness or death consequent upon chronic lead poisoning among persons employed in industrial undertakings in house-painting, varnishing and decorating work.

*Bulgaria.* — The report states lead poisoning is an occupational disease for the purposes of the Social Insurance Act of 1924. Only one fatal case of poisoning by lead or lead compounds has been notified during three years.

*Czechoslovakia.* — § 10 of the Act of 12 June 1924 prescribes that official statistical record shall be kept of the cases of lead poisoning observed and of the amount of sickness and mortality among workers employed in handling lead or substances containing lead. More detailed regulations for this are to be issued by Government Order.

*Poland.* — Statistics of white lead poisoning are drawn up in accordance with the provisions of the Order of 20 September 1920.

*Spain.* — § 8 of the Royal Decree of 19 February 1926 provides that such statistics shall be compiled and that the health inspectors are to communicate the relevant data to the Ministry of Labour, Commerce and Industry.

*Sweden.* — Provisions relating to notification of cases of lead poisoning are contained in § 5 of the Act of 19 February 1926.

### III. Enforcement of legislation.

*Austria.* — The report states that the provisions of the Order of 8 March 1923 are supervised in accordance with the

Act of 14 July 1921 relating to industrial inspection<sup>1</sup>, by the central industrial inspectorate and by the inspectors subordinate to it. For the powers of inspectors under the Act of 14 July 1921 see the analysis of the report on the *Convention concerning employment of women during the night*. With regard to penalties the Order of 8 March 1923 stipulates by § 12 that the contraventions of the Order shall be punished under the Industrial Code (§ 131-137) in so far as they are not covered by the general Penal Code.

*Bulgaria.* — The application of the Health and Safety of Workers Act is entrusted to the labour inspectors under the control of the Superior Labour and Social Insurance Council. See also the analysis of the report on the *Convention concerning employment of women during the night*.

*Czechoslovakia.* — The factory inspectors and the district and communal medical officers are entrusted with the supervision of the Act of 12 June 1924. The powers of the enforcing authorities are as defined in the Austrian Industrial Inspection Act of 17 June 1883 (*R. G. Bl.* No. 117), in the Austrian Order No. XXVIII of 1893 relating to the protection of workers against accidents and to industrial inspection, in the Act of 27 January 1921 extending the sphere of jurisdiction of industrial inspectors to Slovakia, and in the White Lead Act of 12 June 1924. Provision is made for penalties for the contraventions of the White Lead Act in § 13. In so far as contraventions are not punishable under the general Penal Code or the Industrial Code, they may entail the imposition by the political authority of first instance or administrative police authority of first instance of a fine of not exceeding 20,000 kr. or detention for not more than three months and in appropriate cases forfeiture of the industrial licence.

*Poland.* — The supervision of the application of the Acts and administrative regulations dealing with the use of white lead is entrusted (a) to the factory inspectorate; (b) to the Ministry of Labour and Social Welfare in agreement with the Minister of the Interior. The Order of 15 April 1908, which still remains in force in the former Austrian provinces, lays down in § 12 that "any contravention of this Order, which is not punishable under the general penal laws or as breaches of the Industrial Code, shall, in accordance with the Ministerial Order of 30 September 1857, be dealt with by the penal authorities." The Order of 30 September 1920, which is in force throughout Polish territory, stipulates in § 3 that breaches of the provisions of the Order are punishable in accordance with § 25 of the Infectious Diseases Act.

<sup>1</sup> L.S., 1921, Aus. 4-5.



*Spain.* — The supervision of the application of the provisions of the Royal Decree of 19 February 1926 falls to the labour inspectorate.

*Sweden.* — The chief industrial inspection official under the supreme supervision and direction of the chief industrial inspection authority is responsible for the enforcement of the Act of 19 February 1926; and the relevant parts of the provisions of the Workers' Protection Act of 29 June 1912 which relate to the supervision of the observance of that Act also apply to supervision in this case. Any employer who contravenes the prohibition laid down in § 2 of the Act is liable to a fine of not less than 10 nor more than 500 kronor. If the worker who has been employed on the work in question is under the age of eighteen years, and the contravention has taken place with the knowledge and consent of his father or guardian, the father or guardian is also liable to a fine of not less than 5 nor more than 20 kronor. An employer who fails to comply with the instructions of a medical practitioner issued under § 7 is liable to the same penalty. Further, an employer who fails to comply with the provisions of § 5 (notification) is liable to a fine of not less than 5 nor more than 200 kronor. Actions in respect of an offence as specified in the Act are brought to the police court, where such exists, or, in default thereof, to the police office, or, in default thereof, the ordinary court. Appeals against a decision of the chief industrial inspection authority or the provincial authority with respect to matters referred to in the Act may be made to the Crown and must be lodged with the competent

State department within the time limit fixed for appeals against decisions of administrative authorities and official bodies.

#### IV. Application to colonies, etc.

*Spain.* — The report states that the Royal Decree of 19 February 1926 does not contain any exceptions applicable to territories subject to the sovereignty of Spain.

The question does not arise in the case of *Austria, Bulgaria, Czechoslovakia, Estonia, Latvia, Poland and Sweden.*

#### Convention concerning the application of the weekly rest in industrial undertakings.

##### I.

This Convention first came into force on 19 June 1923. Reports have been received in respect of the year ended 31 December 1926 from *Bulgaria, Chile, Czechoslovakia, Estonia, Finland, India, Italy, Latvia, Poland, Rumania and Spain.*

The Government of *Spain* reports that Regulations in application of the Royal Legislative Decree of 6 June 1925, prohibiting Sunday work<sup>1</sup>, were issued on 17 December 1926.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408:

<sup>1</sup> L.S., 1925, Sp. 3.

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Bulgaria . . . . .	6.	3.	1925	6.	3.	1925	19.	3.	1927
Chile. . . . .	15.	9.	1925	15.	9.	1925	3.	5.	1927
Czechoslovakia . . . . .	31.	8.	1923	14.	5.	1924 <sup>1</sup>	28.	2.	1927
Estonia . . . . .	29.	11.	1923	29.	11.	1923	7.	2.	1927
Finland . . . . .	19.	6.	1923	19.	6.	1923	21.	2.	1927
India . . . . .	11.	5.	1923	11.	5.	1923 <sup>2</sup>	24.	2.	1927
Italy. . . . .	8.	9.	1924	1.	7.	1924 <sup>3</sup>			
Latvia. . . . .	8.	9.	1924	8.	9.	1924 <sup>4</sup>	19.	3.	1927
Latvia. . . . .	9.	9.	1924	9.	9.	1924	12.	2.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>5</sup>	18.	3.	1927
Rumania . . . . .	18.	8.	1923	18.	8.	1923	21.	3.	1927
Spain . . . . .	20.	6.	1924	9.	6.	1925	13.	4.	1927

<sup>1</sup> Date of the publication of the Convention in the Collection of Acts and Orders as No. 98. The report states, however, that the provisions of the Convention have been applied since 3 January 1919, the date on which the Eight-Hour Day Act came into force.

<sup>2</sup> Factories.

<sup>3</sup> Mines.

<sup>4</sup> The report states that the Royal Decree No. 580, of 20 March 1924, giving full and complete effect to the Convention, was promulgated in the *Gazzetta Ufficiale* of 5 May 1924 and came into force on 16 May 1924.

<sup>5</sup> The report states that the provisions came into effect on 23 January 1924.

## II. Legislation.

### ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term "industrial undertakings" includes :

(a) Mines, quarries, and other works for the extraction of minerals from the earth.

(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed ; including shipbuilding and the generation, transformation and transmission of electricity or motive power of any kind.

(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, water-work, or other work of construction, as well as the preparation for or laying the foundation of any such work or structure.

(d) Transport of passengers or goods by road, rail, or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

This definition shall be subject to the special national exceptions contained in the Washington Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week, so far as such exceptions are applicable to the present Convention.

Where necessary, in addition to the above enumeration, each Member may define the line of division which separates industry from commerce and agriculture.

*Bulgaria.* — The Health and Safety of Workers Act, 1917<sup>1</sup>, under which the Convention is applied, covers "all industrial undertakings, workshops, commercial undertakings, building undertakings and transport undertakings in the Kingdom" (§ 1). It has not been necessary to define the line of division which separates industry from commerce and agriculture.

*Chile.* — The report refers to the Act of 26 August 1907<sup>2</sup> and the Regulations of 16 January 1918 as governing the application of this Convention. The Regulations, which were issued in application of an Act of 5 November 1917, apply to industrial and commercial undertakings, such as factories, manufactories, workshops, offices, warehouses, shops, mines, saltpetre works, and other undertakings of any kind whatsoever, public or private, even when they are of an educational or philanthropic character. No reference is made to the line of division which separates industry from commerce and agriculture, but the Regulations enumerate the agricultural operations for which exceptions are provided.

*Czechoslovakia.* — The Convention is applied mainly by the Act respecting the eight-hour day of 19 December 1918<sup>3</sup>

which applies to undertakings subject to the Industrial Code or carried on as factories, to undertakings, works and institutions carried on by the State, by public or private associations, funds, societies and companies, to mining undertakings and to persons employed for wages in agriculture and forestry who live outside the household of the employer (§ 1 of the Act). It has not been necessary to define the division which separates industry from commerce and agriculture.

*Estonia.* — The Act of 17 December 1925 concerning the application of the weekly rest in industrial undertakings<sup>1</sup> covers the undertakings and occupations enumerated in Article 1 of the Convention ; it includes also transport by sea and does not exclude transport by hand. Commerce and agriculture are not included in the scope of the Act, and the report states that there is no necessity for a nearer definition of the line of division separating them from industry.

*Finland.* — The legislative provisions governing the weekly rest are contained in the Act of 27 November 1917 respecting the eight-hour working day, as amended by the Act of 14 August 1918<sup>2</sup>. According to § 1 of the Act it applies to : "(1) the undermentioned trades and undertakings in so far as persons other than the owner's husband, wife or own children are employed in them : (a) handicrafts and factory work as well as other industrial occupations ; (b) building, repair and upkeep of buildings, docks, railways, bridges, and other means of communication ; (c) work in connection with salvage and diving ; (d) baths and bathing establishments ; (e) work in connection with clearing, cleansing, draining and scavenging ; (f) wood-felling and cutting ; (g) raft-making and lumbering ; (h) loading and unloading of merchandise ; (i) commercial, office or warehouse work ; (k) inns, hotels and cafés ; as well as (l) industries and undertakings which are similar to the above ; and (2) the undermentioned industries and establishments in so far as employees and workers are employed in them : (a) railway and street traffic, postal, customs and telephonic services, and canals ; (b) automobile traffic and jobbing ; (c) hospitals and prisons ; and (d) industries and establishments similar to the above." It is further specified in § 1 that the Act is to apply to industries or undertakings carried on by the State, municipalities, parish councils, associations or institutions. At the present time, however, in virtue of a Resolution of the Council of State of 19 August 1918<sup>3</sup> (issued under § 12 of the Act), which

<sup>1</sup> B.B., Vol. XIII, 1918, p. 26.

<sup>2</sup> B.B., 1908, Vol. III, p. 37. The date of the Act given in this text is 26 June 1907.

<sup>3</sup> L.S., 1919, Cz. 1-3.

<sup>1</sup> L.S., 1925, Est. 4.

<sup>2</sup> B.B., Vol. XIII, 1918, p. 36.

<sup>3</sup> B.B., Vol. XIII, 1918, p. 39.



has been renewed each succeeding year<sup>1</sup>, the following industries, undertakings and establishments have been excepted from the provisions of the Act: "(1) The construction of private dwelling houses and outhouses in the country, and also the repair and maintenance of houses, harbours, railways, bridges, roads and other means of communication; (2) clearing, cleaning and draining work which is directly connected with forestry; (3) tree felling and wood cutting; (4) the hauling of timber and the floating thereof on waterways otherwise than at the special sorting places; (5) railway traffic, in so far as persons paid by the year or month are employed therein; (6) postal, telegraph and customs services, canals and swing bridges, and likewise hospitals and prisons." The Eight-Hour Day Act does not apply to "domestic work or agriculture and accessory industries, or to work directly connected with agriculture." The weekly rest in commercial establishments is covered by the Act of 24 October 1919 and the amendments thereof, respecting conditions of employment in shops and commercial establishments, offices and warehouses<sup>2</sup>.

*India.* — The definition of "industrial undertakings" given in Article 1 of the Convention is subject to the special national exceptions contained in the Washington Hours Convention, in so far as such exceptions are applicable. In the case of India, these special exceptions are contained in Article 10 of the Hours Convention, which limits the field of application provisionally to "workers in the industries at present covered by the factory acts administered by the Government of India, in mines, and in such branches of railway work as shall be specified for this purpose by the competent authority." The definitions of factories and mines<sup>3</sup> are contained in the Indian Factories Act<sup>4</sup> and the Mines Act<sup>5</sup>. The report makes no mention of the application of the Convention to railways. No decision has been necessary respecting the division which separates industry from commerce and agriculture.

*Italy.* — The Act of 7 July 1907 relating to weekly and holiday rest<sup>6</sup> applies in virtue of § 1 to all industrial and commercial establishments with the exception of (1) navigation, whether at sea or on a lake or river; (2) agriculture, hunting and fishing; (3) public railways and tramways which are licensed by the State or other-

wise authorised; (4) public services and industrial undertakings carried on by the State. The provisions regulating the weekly rest of the staff of the State railways are contained in the Legislative Decree of 22 July 1923 (No. 1631)<sup>1</sup>, of the staff employed in public transport services (railways, tramways with mechanical traction, inland navigation services) worked under a concession in the Legislative Decree of 19 October 1923 (No. 2328) amended by the Legislative Decree of 2 December 1923 (No. 2682)<sup>2</sup>, and of the staff employed in State services in the Legislative Decree of 31 December 1924 (No. 2262) approving the administrative regulations issued in application of the Royal Decree of 30 December 1923 relating to the legal and economic position of wage-earners employed by the State administration, and in the Decree of 24 December 1924 (No. 2114) on the legal and economic position of wage-earners in State employment. The report states that no definite line of division separating industry from commerce and agriculture has been laid down, because in the first place the provisions relating to weekly rest concern both industrial and commercial undertakings, and in the second place because these are provisions which have been in force for some time, and therefore give rise to no difficulties of interpretation with regard to the exclusion of agriculture from their scope.

*Latvia.* — The Act of 24 March 1922 respecting hours of work<sup>3</sup> applies to all private, municipal, public and State undertakings and establishments. The report states that "it was not necessary to lay down the line of division between industry and commerce because the Act of 24 March 1922 respecting hours of work applies equally to industry and to commerce. It was also not necessary to define in the form of general provisions the line of division between industry and agriculture, as no misunderstanding had arisen on this question."

*Poland.* — The Act of 18 December 1919 relating to hours of work in industry and commerce<sup>4</sup> covers all persons employed under a contract of work in industrial and commercial establishments, mines, communication and transport undertakings and any other industrial establishments of whatever kind, whether public or private, even those not carried on for purposes of gain. No reference is made to a closer definition of the division which separates industry and commerce from agriculture.

<sup>1</sup> L.S., 1920, Fin. 4 and 1921 (Part. II), Fin. 1.

<sup>2</sup> L.S., 1920, Fin. 2, 1921, Fin. 1 and 1922, Fin. 4.

<sup>3</sup> See above under *Hours Convention*, ARTICLE 10.

<sup>4</sup> L.S., 1926, Ind. 2.

<sup>5</sup> L.S., 1923, Ind. 3.

<sup>6</sup> B.B., Vol. II, 1907, p. 288.

<sup>1</sup> L.S., 1923, It. 8.

<sup>2</sup> L.S., 1923, It. 8.

<sup>3</sup> L.S., 1922, Lat. 1.

<sup>4</sup> L.S., 1920, Pol. 1.



*Rumania.* — The Act of 18 June 1925<sup>1</sup> respecting the Sunday rest and legal holidays applies to all industrial and commercial undertakings and branches thereof, and to all other undertakings in which persons are employed for wages. No decision has been taken with regard to the division which separates industry from commerce and agriculture.

*Spain.* — § 1 of the Royal Legislative Decree of 8 June 1925 prohibiting Sunday work provides that the Decree applies to all persons working for others (i.e. under the direction of other persons and without other profit than the daily wage or remuneration), or on their own account provided that such work is performed publicly (i.e. on the public highway or such place that the performance on the work can be observed from the public highway), in factories, workshops, warehouses, shops, stationary or itinerant commercial undertakings, newspaper and banking undertakings and offices, mines, quarries, harbours, transportation, public works constructional, repairing and demolition work, undertakings in agriculture and forestry, State, provincial and communal establishments and services, and any other occupations analogous to those enumerated. It has not been necessary to define the division which separates industry from commerce and agriculture.

ARTICLE 2 of the Convention is as follows :

The whole of the staff employed in any industrial undertaking, public or private, or in any branch thereof shall, except as otherwise provided for by the following Articles, enjoy in every period of seven days a period of rest comprising at least twenty-four consecutive hours.

This period of rest shall, wherever possible, be granted simultaneously to the whole of the staff of each undertaking.

It shall, wherever possible, be fixed so as to coincide with the traditions or customs of the country or district.

*Bulgaria.* — § 20 of the Health and Safety of Workers Act, 1917, provides that "every worker shall have the right in the course of every week to a period of 36 hours uninterrupted rest, which in industrial and building undertakings shall begin at five o'clock in the afternoon, and in the case of handicrafts at six o'clock in the afternoon. This period of rest must be allowed to all workers at the same time; it may be granted with an interruption or in rotation only in the cases provided for in the Act concerning holidays and Sunday rest. In the institutions and undertakings coming under the present Act the Minister for Commerce, Industry and Labour may allow Sunday work also when important needs of the State so require." § 1 of the Act respecting

holidays and Sunday rest of 1911<sup>1</sup> includes Sundays amongst the holidays on which, in accordance with § 4 of the same Act, private industrial and commercial undertakings and public offices must, except as otherwise provided, remain closed. Exceptions are provided in § 6 of the Act for the handling of perishable goods at river and sea ports, and railway stations, and for undertakings in which work may not be interrupted for technical reasons or to prevent deterioration of the materials. In these cases at least 52 days' rest in the year must be provided in such manner that one day's rest falls every week.

*Chile.* — According to § 1 of the Act of 26 August 1907 the owners, directors, or managers of the undertakings mentioned therein must allow a weekly day of rest to all persons who have worked during all the working days. This day of rest is compulsory in the case of all children under sixteen years of age and of women, and it is not lawful for such persons to contract to renounce the rest day. It is further provided that Sundays shall, subject to any express arrangement to the contrary, be days of rest, and that, in the event of any such arrangement being made, the day of rest may be allowed simultaneously for all persons employed, or in rotation, so that the continuity of the work shall not be interrupted. The Act of 5 November 1917, to which the Regulations of 16 January 1918 refer, provides that owners, directors, or managers of undertakings must grant a weekly day of rest, which must be Sunday, to all workers and employees working under their authority. The weekly rest begins at 9 p.m. on the day preceding the rest day and terminates at 6 a.m. on the day following the rest day.

*Czechoslovakia.* — § 4 of the Eight-Hour Day Act stipulates that the worker must be allowed in every week an uninterrupted period of rest of at least thirty-two hours. In undertakings in which the processes can technically be interrupted without difficulty, this period of rest must as a rule fall on Sundays, except in so far as exceptions are laid down by the Austrian Act relating to Sunday rest<sup>2</sup>, which is still in force. Further exceptions may be allowed in such continuous undertakings, where it would not otherwise be possible to alternate the shifts and the work cannot be interrupted for technical reasons, as are specified by the Minister for Social Welfare in agreement with the other Ministers concerned, provided that the thirty-two hours period of rest of each worker falls on Sunday at least every

<sup>1</sup> French translation in B.B. Vol. XVII, 1918, p. 67-70.

<sup>2</sup> See Austrian Order of 12 September 1912 amending the previous Orders issued in pursuance of the Act. (B.B., Vol. VIII, 1913, p. 1).

<sup>1</sup> L. S., 1925, Rum. 2.



third week and that the exceptions only apply to the processes specified in the Austrian Order of 12 September 1912<sup>1</sup>. In the case of women employed in factories, it is provided in § 5 that the weekly rest of thirty-two hours must begin not later than 2 p.m. on Saturdays, except in such undertakings, where the employment of women is essential to the undisturbed progress of the undertaking, as are specified by the Minister of Social Welfare in agreement with the other Ministers concerned<sup>2</sup>.

*Estonia.* — § 3 of the Act of 17 December 1925 concerning the application of the weekly rest in industrial undertakings, which covers all the workers and employees in an undertaking, provides that "in any industrial undertaking, public or private, except those in which only the members of one single family are employed, the workers shall be free from work on Sundays for a minimum period of thirty-six consecutive hours and on legal public holidays for a minimum period of twenty-four consecutive hours." Exceptions to the general Sunday rest rule are provided for in § 4 in the case of (a) work essential to meet the daily needs of the population (particularly for the maintenance of water supplies, lighting and communications); (b) undertakings where work of a continuous nature is carried out in processes which, for technical reasons, can neither be suspended nor delayed; (c) work of supervision, cleaning and repair (if such work is necessary to secure the normal working of the undertaking), and processes without the preliminary execution of which the undertaking cannot begin at the regular times fixed, to the extent to which such work cannot be executed on weekdays; and (d) the manufacture of products in which raw material or material in process of manufacture is used which deteriorates rapidly and which it is necessary to preserve from deterioration, to the extent to which such work cannot be executed on week days. §§ 5 and 6 prescribe that the Minister of Labour and Social Welfare, in agreement with the other Ministers concerned, is to draw up provisions granting compensatory rest to persons employed on Sundays and public holidays, and a list of the processes mentioned in § 4 (a) and (b); both the compensatory rest provisions<sup>3</sup> and the list of public utility undertakings and continuous processes<sup>4</sup> have been published in the *Riigi Teataja* in Nos. 78 of 1926 (p. 906) and 67 of 1926 (pp. 852-853) respectively.

*Finland.* — § 5 of the Eight-Hour Day Act provides that "on Sundays workers shall be granted an uninterrupted holiday of at least thirty hours. If this is not possible a corresponding rest shall be granted during the week."

*India.* — § 22 of the Factories Act provides that "no person shall be employed in any factory on a Sunday unless (a) he has had, or will have, a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday, and (b) the manager of the factory has previous to the Sunday or the substituted day, whichever is the earlier, given notice to the inspector and... affixed a notice to the same effect. Provided that no such substitution shall be made as will result in any person working for more than ten consecutive days without a holiday for a whole day." For mines § 23 of the Indian Mines Act limits employment to six days in the week, it being permissible to select any day in the week as the day of rest.

*Italy.* — § 1 of the Act of 7 July 1907 relating to weekly and holiday rest lays down that every person who is in any way engaged in the undertakings coming under the Act must be allowed a period of rest of not less than twenty-four consecutive hours in every week. Normally this period of rest must be given on the Sunday. § 3 of the Legislative Decree of 22 July 1923, containing service regulations for the staff of the State railways, lays down that employees shall be granted a weekly rest period, which, as a rule, shall not be less than twenty-four hours, in addition to the interrupted rest period of nine hours granted between each spell of work. By preference the weekly rest periods must be granted on Sundays, as far as is compatible with the requirements of the service. The special provisions of this Decree provide that in the case of locomotive and train staff (drivers, firemen, electric train staff, head guards, senior guards, guards and brakemen on train duty) the weekly rest period of the staff shall be not less than thirty-six hours (§ 6 (5)). For the permanent way staff the weekly rest period must as a rule be granted on Sunday, on which day one permanent way examiner alone is to be on duty, and half of every gang to remain at home on call (§ 7 (2)). For repairing shop staff and permanent office staff the weekly rest period is given on the Sunday (§§ 8 (2) and 9 (2)). The Legislative Decree of 19 October 1923, amended by the Legislative Decree of 2 December 1923, applicable to staff employed in public transport services working under a concession lays down that the workers covered are entitled to fifty-two rest periods of twenty-four hours in the year, without prejudice to their regular annual leave (§§ 16, 21, 26, 31 and 34). The Royal

<sup>1</sup> Order of 11 January 1919, § II (L. S., 1919, Cz. 1-3) and Order of 12 September 1912 (B.B., Vol. VIII, 1913, p. 3).

<sup>2</sup> Order of 11 January 1919, § III (L. S., 1919, Cz. 1-3).

<sup>3</sup> L.S., 1926, Est. 2.

<sup>4</sup> See below, page 126.



Decree of 31 December 1924, approving the administrative regulations issued in application of the Royal Decree of 30 December 1923 relating to the legal and economic position of wage-earners employed by the State administration, provides that the wage-earners covered are entitled to a weekly rest day, which must, as a general rule, be given on Sunday. From this rule are excepted: (a) foremen, supervisors and similar workers, overseers and workers entrusted with supervision; (b) workers in general, whose services consist of watching or the performance of intermittent work carried on even outside the normal time-table and during the night, e.g. caretakers, concierges, keepers, turncocks, labourers, seamen attached to wharves and other workmen to be specified in the regulations dealing with them.

*Latvia.* — § 3 of the Act of 24 March 1922 respecting hours of work lays down that "the normal Sunday rest shall consist of not less than forty-two consecutive hours a week. Note 1. — In all undertakings and establishments where work is carried on continuously with alternating shifts, a Sunday rest of not less than forty hours shall be granted. Note 2. — If non-manual or manual workers cannot have their weekly rest on Sunday for technical reasons connected with their work, this rest shall be granted to them on another day of the week."

*Poland.* — § 10 of the Act of 18 December 1919 prohibits work on Sundays and statutory public holidays in establishments to which the Act applies, except in the cases specified in § 11 (see under ARTICLE 4). A Decree of 16 March 1925 respecting the hours of work of tramway workers replaces the provisions of the Act of 18 December 1919 as regards these workers by a system whereby they work a maximum of 184 hours over a period of four weeks, or an average of 46 hours a week. No worker may, however, work in any case more than ten-and-a-half hours a day. The Decree provides for two days' rest in compensation for these special regulations.

*Rumania.* — § 1 of the Act of 18 June 1925 provides for a period of rest of twenty-four hours every Sunday, during which the undertakings covered by the Act must remain closed. The rest period may begin at any time up to 6 a.m. on Sunday, terminating at the same time on the following day; in the case of newspaper printing offices, the rest period may begin at 10 a.m. Exceptions are provided by § 7 in the case of the following undertakings which may remain open all day or part of the day on Sundays: ".... (j) undertakings for lighting, and distribution of water, gas or motive power, transport by land and water,

loading and unloading of goods which may not be delayed; (k) industries in which the raw materials used in the process of manufacture may deteriorate if the process were interrupted for twenty-four hours..." § 8 provides that the Ministry of Labour, in agreement with the Permanent Labour Committee, shall issue regulations in application of the Act containing a list of the industrial and commercial undertakings to which the exceptions provided for in §§ 7 and 11 apply; the Ministry may also, in agreement with the Chamber of Labour, suppress or limit, generally or for specified regions or localities, some of the exceptions provided for in these sections. § 9 lays down that, in the undertakings benefiting by these exceptions, the workers shall have the right to a day's rest on another day of the week; by § 13 the day's rest must fall on Sunday at least once in every month. § 11 provides that in undertakings working continuously, or such in which the normal working would be prejudiced if the weekly rest were granted to the whole of the staff simultaneously, the weekly rest may be granted, all the year round or for a specified period, to the staff employed on the legal rest days on another day of the week or may be made to commence at 12 noon and terminate at 12 noon on the following day. According to § 19 these exceptions shall not apply to women or to young persons under sixteen years of age.

*Spain.* — § 1 of the Decree of 8 June 1925 prohibits "manual work" (*trabajo material*), defined in the Regulations of 17 December 1926 as "every kind of human activity involving the exercise of the physical powers", in the occupations covered by the Decree, on Sunday, which is defined in § 2 as the period from twelve o'clock midnight on Saturday to twelve o'clock midnight on the following day. "Nevertheless, if in certain industries, owing to their special necessities, the rest period cannot be arranged as above without serious prejudice to the industry, a different arrangement for the rest period may be allowed, provided that the duration thereof is not substantially different. The cases in which a different arrangement is allowed shall be decided by the Government after hearing the Labour Council." § 4 provides that the prohibition of Sunday work shall not apply, *inter alia*, to work in connection with workers' organisations and distributive co-operative societies which sell goods to their own members only, and to workshops for training purposes connected with schools of arts and crafts and any similar work; whilst § 5 provides that the prohibition shall not apply (1) to processes which, by reason of their nature, cannot be interrupted on technical grounds or without seriously prejudicing the public interest or that of the industry concerned;



(2) to repair and cleaning work which is required to be done in industrial undertakings in order to prevent interruptions during the week and which is indispensable for that purpose; (3) to work which is rendered indispensable by impending disaster, or an accident, or other circumstances which are not of a recurring nature and could not be foreseen. In regard to these cases, however, § 6 stipulates that the number of workers employed on Sunday must be reduced to the minimum strictly necessary, that the workers shall only work the hours mentioned as indispensable in the application for authorisation, that the same workers shall not be employed the whole day on two consecutive Sundays, that they shall be granted a break of one hour for church attendance without loss of pay, that a period of rest of twenty-four consecutive hours shall be granted within seven days of the Sunday on which work is performed without regard to the number of hours worked, and that this rest period shall be granted simultaneously to all the workers who have worked on Sunday in the same undertaking or, if this is impossible owing to the nature of the work, that the rest period shall be granted in rotation to groups of workers, the number of the groups to be as few as possible. § 8 provides that no exceptions to the Sunday rest may apply to women or to young persons under eighteen years of age. These provisions are amplified by the Regulations of 17 December 1926 issued in application of the Royal Legislative Decree. §§ 7 to 11 of the Regulations provide that the following industries and processes, among others, shall be excepted from the Sunday work prohibition in virtue of § 5 of the Decree: railways, tramways and public carriages and indispensable repairs thereto, telephones and indispensable repairs thereto, gas and electricity works, bakeries, manufacture of pastry, confectionery, etc. (until 11 a.m.), forwarding, loading and unloading of goods, treatment of perishable raw materials, industries requiring continuous attention for periods exceeding twenty-four hours, industries using motive power worked directly or indirectly by water, industries which by the nature of the processes to which the raw material is subjected require to work for periods exceeding twenty-four hours, indispensable preparatory work which must be done on the preceding day, work affecting the safety of workers and plant, maintenance, cleaning and repair work in mines, urgent demolition and repair work, seasonal industries. § 46 of the Regulations lays down that, by way of exception to § 6 of the Decree, where it is absolutely necessary to employ on Sunday more than half the workers ordinarily employed, the provision that the same workers may not be employed the whole day on two consecutive Sundays shall not apply.

According to § 47, the question as to which workers it is strictly necessary to employ on Sundays, and the hours during which work is indispensable, is to be settled by agreements between employers and workers, made in accordance with § 9 of the Decree and §§ 51-59 of the Regulations. The prohibition to employ women and young persons under eighteen years of age on Sundays may, in virtue of § 48, be raised in certain cases on the application of any one of the parties concerned. § 49 provides that all exceptions to the Sunday work prohibition shall be subject to the provisions of § 6 of the Decree relating to the weekly rest; this section further provides that where the employment on Sunday does not exceed a maximum of four hours, the workers concerned shall have a right to four consecutive hours' rest on another day of the week, whether the Sunday work was actually of four hours' duration or not.

*ARTICLE 3 of the Convention is as follows:*

Each Member may except from the application of the provisions of Article 2 persons employed in industrial undertakings in which only the members of one single family are employed.

*Bulgaria.* — The Health and Safety of Workers Act does not specify that the Act shall not apply to undertakings in which only members of one single family are employed, but § 1 states that "home-work on which only members of the family are employed shall not be subject to inspection unless it is classed as dangerous or unhealthy work."

*Chile.* — Paragraph 1 of Part VII of the Regulations of 16 January 1918 excepts owners or employers who work alone, that is to say, without the assistance of employees, workers or apprentices, from the application of the Act and Regulations; but it is specified that the term "employee" applies to those relatives of the owner or employer, who have permanent occupation in the establishment or undertaking, and whose services are remunerated in money or in any other manner which can be estimated in terms of money.

*Czechoslovakia.* — No reference is made to this provision in the legislation concerning the Convention, except that § 3 (5) of the Sunday Rest Act<sup>1</sup> provides that the prohibition to work on Sunday does not apply to the personal work of the employer in so far as it is carried on without assistance and in private.

*Estonia.* — § 3 of the Act of 17 December 1925 concerning the application of the weekly rest in industrial under-

<sup>1</sup> B.B., Vol. IV, 1905, p. 311 (German).



takings excludes undertakings in which only the members of the same family are employed.

*Finland.* — The Eight-Hour Day Act does not cover the work of the owner's husband, wife, or own children.

*India.* — The application of this Article does not arise (see under ARTICLE 1).

*Italy.* — § 1 of the Act of 7 July 1907 contains a similar provision to that contained in the Convention.

*Latvia.* — The report states that there has been no necessity to permit the exception provided by Article 3.

*Poland.* — The Act of 18 December 1919 and the other laws and orders concerned do not provide exceptions in the case of undertakings in which only members of the same family are employed.

*Rumania.* — The Regulations in application of the Act of 18 June 1925 issued by Decree of 24 June 1925 provide in § 9 that the Act and Regulations are not to apply to the handworker who works on his own account, assisted by wife and children, but without other wage-earners or apprentices. Nevertheless, such handworkers are obliged to close the rooms or workshops on Sundays and the legal holidays.

*Spain.* — The Royal Legislative Decree of 8 June 1925 makes no provision for this exception.

#### ARTICLE 4 of the Convention is as follows :

Each Member may authorise total or partial exceptions (including suspensions or diminutions) from the provisions of Article 2, special regard being had to all proper humanitarian and economic considerations and after consultation with responsible associations of employers and workers, wherever such exist.

Such consultation shall not be necessary in the case of exceptions which have already been made under existing legislation.

*Bulgaria.* — The Government reports that no exceptions have been authorised in pursuance of this Article.

*Chile.* — The Acts of 26 August 1907 and of 5 November 1917 provide for exceptions in the following cases : (1) operations undertaken to repair damages caused by *force majeure* or accident provided that the reparation cannot be postponed; (2) undertakings and processes in which uninterrupted work is necessary on account of the needs which such operations satisfy, or for technical reasons, or in order to prevent serious injury to the public interest or to the industry concerned; (3) processes which are necessarily of a seasonal character,

and which are dependent on the operation of natural forces; (4) processes which are indispensable to the routine of any undertaking and which cannot be postponed. The Regulations lay down in Part VI the general rule that the exceptions for these reasons shall only apply to those services or parts of an undertaking in which the processes which give rise to the exception are carried on, and to the staff which is strictly indispensable for the carrying on of such processes. The undertakings and processes in which the staff is excepted from the weekly rest rule are scheduled in the Regulations as follows :

#### I. — 1st category.

*Operations excepted on account of the needs which they satisfy or by reason of the serious public injury which would be caused by their interruption :*

(1) In railway undertakings, all services and work necessary for the movement of passenger and goods trains, and for the reception and delivery of correspondence, registered packages, plant or goods liable to deteriorate;

(2) In tramway undertakings, services and work necessary for the transportation of passengers;

(3) Undertakings for the hire of cycles, motor cars, coaches, and other kinds of conveyances.

(4) Maritime and inland navigation services and undertakings;

(5) In ports, the embarkation and landing of passengers, correspondence, plant and cargo liable to deteriorate; loading and unloading of merchandise, but only in case of accumulation; in undertakings of pleasure steamers, launches and boats;

(6) Postal, telephone, telegraph and submarine cable services and undertakings;

(7) Undertakings for the production and distribution of motive power;

(8) Gas-works, electricity works, and generally all lighting undertakings;

(9) Water services and undertakings;

(10) Public slaughter-houses;

.....<sup>1</sup>

(21) Undertakings of newspapers and periodicals published on the weekly rest-day, and the distribution and sale of such publications.

#### II. — 2nd category.

*Operations excepted in consequence of their technical character or of the serious injury which their interruption would cause to the industry :*

(1) In general, industries with technical continuous processes, and the generation of the power necessary for the carrying on of such industries;

(2) In saltpetre works and mines of every kind and in utility undertakings, all processes which by reason of their nature may not be interrupted. As a general rule, this class of processes is not to be deemed to include the extraction and hauling of minerals, or work on prepared materials, nor the working of services or workshops ancillary or annexed to the main works, as far as concerns those processes the carrying on of which can be postponed without injury to the regular working of the undertaking;

(3) In the manufacture of glass and crystal: the stoking and working of the furnaces, the

<sup>1</sup> Exceptions Nos. (11) to (20) relate mainly to commerce.



preparation of material for working and the blowing and tempering of glass and crystal ;

(4) In the manufacture of paving-stones and enamels : the stoking and working of the furnaces for this purpose ;

(5) In the manufacture of bricks, tiles and other earthenware and pottery articles : the stoking and working of the baking and burning furnaces ;

(6) In cement, lime and plaster works ; the stoking and working of the burning furnaces ;

(7) In the manufacture of powder and explosives : the drying processes ;

(8) In metal foundries : the stoking and working of the furnaces and the complementary work of preparing the materials, the rolling processes ;

(9) In chemical works generally : the working of the furnaces for torrefaction and oxidisation, and the apparatus for condensation, concentration, crystallisation, refrigeration, precipitation, desiccation and compression. The decantation and transport to the warehouses when the nature of the products makes this necessary ;

(10) In the manufacture of oxygen and compressed gases : the producing apparatus and the compression pumps ;

(11) In the manufacture of soap : stoking of the fires for the liquefying process ;

(12) In the manufacture of paper and cardboard : the drying and calefactory processes ;

(13) In tanneries : in work for the rapid completion of tanning by machinery ;

(14) In starch works : the elimination of gluten and the completion of processes already begun ;

(15) In the manufacture of cigars : watching and graduation of the heating ;

(16) In the manufacture of ice and in refrigerators : the processes necessary for the production of ice and the requisite degree of cold ;

(17) In industrial and agricultural distilleries : the germination of the grain, fermentation of malt and distillation of alcohol ;

(18) In refineries of alimentary fats and the manufacture of margarine : the reception and malting of the fats ;

(19) In malt works and breweries : the germination of the barley, fermentation of malt and production of the requisite degree of cold ;

(20) In sugar refineries : the refining processes ;

(21) In mills : the milling processes ;

(22) In condensed milk factories : the reception of the milk and manufacture of the product.

### III. — 3rd category.

*Work, undertakings or processes which by reason of their nature can only be carried on during certain seasons of the year and which are dependent upon the irregular action of natural forces :*

(1) Generally, agricultural processes properly so called, such as sowing and harvesting grain, roots, fruit, vegetables or forage plants, dairy work, vine harvest work, irrigation work and similar occupations. Further, all processes necessary for the warehousing, conservation and preliminary preparation of products liable to deteriorate ;

(2) Sheep farming in general and especially the shearing of sheep and the preliminary preparation of wool, and the salting and refrigerating processes ;

(3) Forestry work during the season when it is indispensable for sowing, planting and cultivation ;

(4) Processes in which use is made of power driven by wind or of hydraulic or electric motors, provided that the latter are driven by water power ;

(5) Fishing undertakings, the preparation of dried fish, and the canning of fish and shell-fish ;

(6) Undertakings for the canning of fruit and vegetables, and the preparation of sweet and dried fruits during the period of the harvest.

### IV. — 4th category.

*Processes which are necessary for the carrying on of the undertaking and cannot be postponed :*

(1) The work of maintenance, cleaning and watching which must necessarily be done on rest-days, owing to the danger to the workers or of interrupting the working of the undertaking ;

(2) Work undertaken to avoid damage or to prevent accidents, or to repair accidents which have already occurred to material, plant or buildings ;

(3) The repair and cleaning of machines and boilers, gas pipes, electricity carriers, drains, and other urgent work for maintenance and repair, provided that it is necessary for the uninterrupted working of the undertaking ;

(4) The construction and demolition of works and buildings, the processes necessary to ensure the stability of constructions and to prevent accidents ;

(5) The processes necessary for the preservation of raw material and products liable to rapid deterioration or alteration, provided that they cannot be postponed without injury to the undertaking ;

(6) The calking of ships and generally urgent repairs to vessels ;

(7) The drawing up of inventories and balance sheets in industrial and commercial undertakings.

### V. — 5th category.

Work which cannot be postponed and which is undertaken for the repair of damage caused by *force majeure* or which could not have been foreseen, and more especially damage produced by fires, railway accidents, shipwrecks, landslides, floods, hurricanes, earthquakes, and other similar unforeseen causes.

*Czechoslovakia.* — The Government reports that the Eight-Hour Day Act does not permit of suspensions or diminutions of the weekly rest prescribed therein.

*Estonia.* — The Government has communicated to the Office two lists, published in the *Riigi Teataja* No. 67 of 7 September 1926 : (1) a list of works of public utility the execution of which is permitted on Sundays and holidays to meet the daily needs of the population ; (2) a list of the processes the execution of which is permitted on Sundays and holidays in undertakings working continuously. These lists are as follows :

1. *List of work the execution of which is permitted on Sundays and holidays when required by the public interest and necessary to meet the daily needs of the population.*

(List promulgated on 19 August 1926 by the Minister of Labour and Public Welfare, in agreement with the Minister of Commerce and Industry, in virtue of § 6 of the Act concerning the application of the weekly rest in industrial undertakings.)

The following work executed in the public interest to meet the daily needs of the population is authorised on Sundays and holidays :

(1) Work in connection with water supplies ;

(2) Work in gas and electricity works ;

(3) Work in bakeries and confectioners' shops manufacturing goods with yeast or barm without the addition of sugar ;

(4) Work in connection with the publication of daily periodicals ;



(5) Work in dairies: dairy work, conveyance of milk to dairies and its distribution to the public;

(6) Work on communications; on railways, ships, omnibuses, motor taxi-cabs and all other vehicles plying for hire;

(7) Work in connection with the transport of goods in docks and railway stations and in docks and railway warehouses.

2. *List of processes the execution of which is permitted on Sundays and holidays in undertakings working continuously.*

(List promulgated on 19 August 1926 by the Minister of Labour and Public Welfare, in agreement with the Minister of Commerce and Industry, in virtue of § 6 of the Act concerning the application of the weekly rest in industrial undertakings.)

In industrial undertakings working continuously the following processes are to be considered as processes which, by reason of their technical nature, cannot be interrupted or postponed. In consequence the execution of these processes is permitted on Sundays and holidays:

(1) Glass works: (a) glass melting, (b) heating of melting and refrigerating ovens;

(2) Paper pulp and wood pulp factories: work in connection with installations for the production of steam, water and electric power, with water pipes and motors, with services for the maintenance of water supplies and fuel and with the supervision thereof; transport of raw materials and wood, preparation and regeneration of the pulp; processes connected with the barking, cleaning, reduction, grinding and heating of wood; sorting, cleaning, washing, bleaching and final manufacture of the ground and heated pulp. Manufacture of papier mâché, of paper, of paper pasteboard, of cardboard partially or completely dried, in sheets or news print, polishing, cutting, sorting and packing of the manufactured goods;

(3) Bituminous shale distillation: stoking processes, processes in connection with the filling and emptying of retorts working on a continuous system;

(4) Cement and lime kilns and brick works: work in connection with machines for the production of motive power, with pumps, stoking and work in connection with rotating ovens, work in mills and laboratories, transport of fuel and raw materials, and of semi-manufactured and fully manufactured articles; loading and unloading of railway trucks;

(5) Wood working: manufacture of veneering woods, steam heating of the blocks, preparation, glueing and drying of veneering sheets; work in connection with machines for the production of motive power, with pumps, and for tending of furnaces;

(6) Distillation of alcohol; all processes connected with the distillation of alcohol during the season, rectification of alcohol;

(7) Breweries: (a) manufacture of malt; (b) supervision of fermentation;

(8) Leather works: processes connected with the tanning of the hides;

(9) Chemical industries: processes enumerated in the labour regulations;

(10) Refrigerators: work in connection with the machines and with the supervision of refrigerating premises.

*Finland.* — § 5 (2) of the Eight-Hour Day Act lays down that the provisions relating to weekly rest shall not apply in cases of *force majeure*, accident or other occurrence threatening to interrupt or having already interrupted the work, in cases where an interruption of work would cause damage to or destruction of property,

goods or raw materials, or in cases where the technical character of the work does not permit the complete release of special skilled workers who act as overseers. By § 2 of the Resolution of 19 August 1918, the provisions relating to weekly rest do not apply to factories or parts of factories in which the technical character of the work necessitates its being carried on uninterruptedly day and night and in which the work is organised in three shifts, if the work cannot be suspended on holidays, or in any case to subsidiary work in such factories in connection with repairs, heating, cleaning, etc. Notwithstanding these provisions, the Government reports that some communal power stations and paper works working three shifts have succeeded in maintaining the statutory weekly rest periods by means of relief shifts. Most industries exempted, however, have taken advantage of the permission given them; and in these cases the workers obtain a Sunday rest of from twenty-four to thirty-two hours every third week at the change of shift. The Resolution of 19 August 1918 also exempted various branches of building work, raft-making, lumbering and railway and canal traffic. The Government reports, however, that in these cases the weekly rest is frequently granted in practice. In the building trade, it is only in the case of urgent work that the weekly rest is suppressed. With regard to raft making and lumbering, although owing to natural conditions it has not been possible to organise special periods of rest on the rivers, the workers thus employed on the lakes enjoy, though irregularly, the rest periods laid down. On railways, the guards obtain a rest period of at least thirty-three hours every four days, brakemen a period of at least thirty-one hours every five days and pointsmen a period of thirty-five hours at least twice a month. The organisation of rest periods in the case of engine drivers and firemen varies according to the quantity of traffic<sup>1</sup>. Transport on canals is seasonal and continuous for not more than seven months in the year. The number of workers employed varies considerably but never exceeds 250, about half of whom work on a three shift system and enjoy a period of rest of twenty-four hours every three weeks. The work of the other half is essentially intermittent and it has not been considered necessary to arrange special rest periods for them.

*India.* — In the case of factories the provisions for exceptions to § 22 regarding the weekly rest are contained in §§ 29, 30 and 32 of the Factories Act. § 29 permanently excepts persons who may be defined by Local Governments to be persons holding positions of supervision and management and persons employed in a confidential capacity. Under § 30 (1)

<sup>1</sup> O.B., Vol. VIII, pp. 190-191.



"where it is proved to the satisfaction of the Local Government.... (b) that the work of any class of workers is essentially intermittent; or (c) that there is in any class of factories any work which necessitates continuous production for technical reasons; or (d) that any class of factories supplies the public with articles of prime necessity which must be made or supplied every day; or (e) that in any class of factories the work performed, by the exigencies of the trade or its nature, cannot be carried on except at stated seasons or at times dependent on the irregular action of natural forces", the Local Government may exempt on such conditions, if any, as it may impose, work of the nature described in (b) and (c) from all or any of the provisions of § 22, and the classes of factories described in (d) and (e) from the provisions of § 22. A Local Government may also, in virtue of § 30 (2), by general or special order exempt for such period as may be specified in the year, and on such conditions, if any, as it may impose, any factory from all or any of the provisions of § 22 on the ground that such exemption is necessary in order to enable such factory to deal with an exceptional press of work. § 30 (3) lays down that in such circumstances and subject to such conditions as may be prescribed nothing in § 22 is to apply to work on urgent repairs. Finally, under § 32 and § 32 A, a Local Government may exempt any indigo factory or any factory situated on or used solely for the purposes of a tea or coffee plantation, and any factory or class of factories in respect of persons employed therein in any engine room or boiler-house, from any of the provisions of § 22 on such conditions, if any, as it may impose. The report of the Government of India for the year 1924 gave the following list of factories and processes for which exemptions had been granted by Local Governments, adding that the exemptions varied from province to province:

Aerated water factories; breweries and distilleries (chemists, vatmen and bottlers); brick-kilns; cement factories (the raw material, burning and cement grinding departments); mixers; moulders; chemical factories (chemists and dyers); coir presses; coke manufacture (operation of coke ovens, recovery and treatment of bye-products); cotton spinning and weaving mills (smithy and foundry, electric lighting apparatus, steam and water pipes, pumps for fire, humidifying or boiler feed services, cleaning of humidifying and ventilating apparatus, tunnels and underground flues, cleaning of boiler, chimney flues, of interior ceiling, beams and walls, dyeing and bleaching); dairies; electric power and generating stations; factories engaged in the preparation of cardamon, ginger, pepper, nux vomica, turmeric; flour mills; fish curing and canning (fruit preserving and canning); gas works (retort staff); ginning factories (mochies, ropemen, turners, cotton carriers to gin platform, cleaning of humidifying and ventilating apparatus, tunnels, underground flues, interior ceilings, beams, walls, and chimney flues); glass works (blowers); grass farms (seasonal fodder pressing work); ice factories; iron and steel factories (blast furnaces, open hearth furnaces, rolling mills); jute factories

(pressing and baling); lime work (manufacture of lime, including charging, drawing and attending to lime kilns); oil and water pumping stations (pumping operations); oil mills (oil expressing and refining, soap making, rolling and boiling, cleaning of interior walls, ceilings and boiler and chimney flues); oil mills using kohlus; oil refineries (stillmen, condensermen and pumpmen); paper mills (machine beater and boiling rooms); pottery (polishers, potters and mixers); rice mills (persons moving railway wagons and working on drawing platforms); rosin factories; sugar factories; tanneries; tea and coffee factories; tobacco factories (conditioning of leaf tobacco).

As regards *mines*, exceptions to the provisions of § 23 of the Mines Act are provided in §§ 24, 25 and 46. § 24 permanently excepts persons holding positions of supervision or management or employed in a confidential capacity; § 25 gives power to the mine manager in emergencies involving serious risk to the safety of the mine or of persons therein employed to permit employment in contravention of § 23 on such work as may be necessary to protect the safety of the mine or of the persons employed therein; whilst § 46 empowers the Governor-General in Council to exempt any local area or any mine or group or class of mines or any part of a mine or any class of persons from the operation of all or any specified provisions of the Act, similar powers being conferred on Local Governments only on the occurrence of a public emergency.

*Italy.* — § 2 of the Act of 7 July 1907 lays down that the obligation to grant an unbroken period of rest of twenty-four hours shall not apply: (a) at any time when business is being carried on in industries which deal with raw materials of a very perishable nature and which are only carried on during a short season of the year; (b) during ten weeks of the year in the case of industries carried on directly by wind and water. Notwithstanding, in this case the period of rest must be allowed for a fortnight; (c) during six weeks of the year in industries which have a recognised period of extraordinary pressure. § 8 further provides that the regulations relating to Sunday rest may be suspended in certain places by Prefectural Order where temporary circumstances give rise to an unusual rush of business. In pursuance of § 2, lists of industries and occupations in which exceptions to the weekly rest are permitted have at various times been issued by Ministerial Decree.

(These lists are given in the Appendix on pp. 134—135.)

§ 10 (4-6) of the Legislative Decree of 22 July 1923 containing service regulations for the staff of the State railways provides that to meet the requirements of the service or difficulties which arise in the drawing up of the working lists and shift time-tables, the weekly rest may be deferred for one or two days. In case of pressure of work or owing to other



exceptional circumstances, the weekly rest periods of the staff with the exception of the locomotive guards and train staffs (drivers, firemen, electric train staff, head guards, senior guards, guards, brakemen on train duty) may be anticipated by, or deferred for, not more than one month. In these circumstances, not more than two of the said rest periods may be granted in immediate succession provided that their total duration shall be twenty-four hours more than the duration of the first period. The Legislative Decree of 19 October 1923, amended by the Legislative Decree of 2 December 1923, relating to persons employed in the public services, provides general exceptions in unforeseen exceptional circumstances and in case of *force majeure* and danger of accident. § 156 of the Administrative Regulations issued in application of the Royal Decree of 30 December 1923, relating to the legal and economic position of wage-earners employed by State administrations, provides that work may only be performed on holidays in exceptional cases when it is necessary to meet the constant and special difficulties of the service, which cases are to be laid down in the regulations of the various administrations, or in exceptional and urgent cases where the work cannot be adjourned. With regard to the compensatory rest, § 165 of the same Decree lays down that when Sunday work is necessitated in application of § 156, the workers must be granted compensatory rest of one day's duration during the same week or the following week. Nevertheless, workers whose services consist of watching or the execution of intermittent jobs carried on even outside the normal time-table and during the night, e.g., caretakers, concierges, watchmen, turncocks, labourers, seamen on wharf duty, and other workmen to be specified in regulations dealing with them, are permitted to surrender their right to this compensatory rest.

*Latvia.* — The report states that there has been no necessity to permit the exceptions provided by Article 4 of the Convention.

*Poland.* — The Government reports that work is permitted on Sundays and public holidays in the following cases in virtue of §§ 6 and 11 of the Eight-Hour Day Act of 18 December 1919. (a) For indispensable public utility services and services necessary for the satisfaction of the daily needs of the population, in particular for the maintenance of the water supply, lighting, cleaning, work on means of communication (in such cases the employer must notify the competent labour inspection office in advance if it is proposed to employ workers more than three hours). (b) In establishments working continuously for the performance of work which cannot be suspended on account of the

technical nature of the processes; in the undertakings and the cases provided for in § 6 (c) of the Act which specifies that in undertakings working continuously, and in so far as it is absolutely necessary for the working of the undertaking, the Minister of Labour, in agreement with the Minister of Industry and Commerce, on the advice of the trade associations of workers and employers, may authorise the extension of hours of work for particular groups of workers to not more than 56 hours per week on the average, in such manner that the eight-hour day be extended on one day in each week for one shift or for two successive shifts, provided that work is so distributed that each worker has a rest period of not less than twenty-four hours at least twice in every three weeks. (c) In the event of actual or imminent disaster or accident which necessitates work on Sundays and holidays in order to maintain the safety of workers, to ensure the establishment against damage and to keep up its normal working, as well as to prevent loss of materials or destruction of machinery (in such cases the labour inspection office must be notified afterwards). (d) In case of national necessity the hours of work may be extended by an order based on the decision of the Council of Ministers and in appropriate cases on advice tendered by trade associations of workers and employers; such extension may take place on any day of the week, including Sunday, in certain establishments or classes of establishment, but in no cases for a period exceeding three months (in such cases the provisions of § 13 relating to compensatory rest apply). A Decree of the Minister of Labour and Social Welfare respecting work at night and on Sundays and holidays in preparatory processes in the bakery trade<sup>1</sup>, dated 10 December 1921, authorises the employment on Sundays and holidays of persons required for the preparation of leaven and yeast of all kinds.

*Rumania.* — § 12 of the Act of 18 June 1925 provides that "for the execution of urgent work for the purposes of national defence, for the organisation of life-saving and salvage operations on land and water, for the prevention of accidents or for the reparation of their consequences, the rest of the staff necessary for such work may be suspended." The rest of persons employed in other undertakings, when their co-operation appears to be indispensable for the execution of the work above described, may also be suspended, but in their case § 12 makes it compulsory to grant them compensatory rest in the following week.

<sup>1</sup> L.S., 1921, Pol. 5-8.



*Spain.* — The Government reported in 1925 that no exceptions have been authorised under the terms of this Article. Legislative provision for such exceptions is contained in § 7 of the Royal Legislative Decree of 8 June 1925 which provides that in cases where Sunday work is permitted in virtue of § 6 (see under ARTICLE 2 above) the period of rest may be reduced to the number of hours worked on Sunday, and suspended in very exceptional cases, regard being had to all proper economic and humanitarian considerations. Nevertheless, these measures may only be adopted by the Government for specified processes and industries, after consultation with the Labour Council and the competent associations of employers and workers, wherever such exist, and provided that other periods of rest are stipulated in compensation for the suspensions and diminutions granted.

*ARTICLE 5 of the Convention is as follows :*

Each Member shall make, as far as possible provision for compensatory periods of rest for the suspensions or diminutions made in virtue of Article 4, except in cases where agreements or custom already provide for such periods.

*Bulgaria.* — The question does not arise.

*Chile.* — Both the Act of 26 August 1907 and the Act of 5 November 1917 provide that workmen who are employed on the weekly rest days in the undertakings and processes enumerated in the Regulations (see ARTICLE 4 above), must be allowed at least one rest day every two weeks.

*Czechoslovakia.* — The question does not arise.

*Estonia.* — Under § 5 of the Act of 17 December 1925, the Minister of Labour and Social Welfare issued on 23 October 1926 an Order relating to the granting of rest periods and compensation to persons employed on work which may be performed on Sundays and holidays in virtue of § 4 of the Act. § 1 of this Order provides that workers and employees, who are employed in any of the processes specified in the list issued by the Minister of Labour and Social Welfare in virtue of § 6 of the Act or mentioned in § 4 (c) and (d) of the Act, and whose work on a legal day of rest is longer than four hours, are to be granted either a weekly rest as prescribed in § 2 of the Order, or supplementary remuneration as laid down in § 4 of the Order, or longer leave as provided for in § 5 of the Order. The weekly rest may, by § 2, be granted (a) on another day of the week, either simultaneously for the whole of the workers and employees or in shifts, but in any case for not less than 24 hours; (b) from 2 p.m. on Sunday until 2 p.m. on Monday;

(c) from 2 p.m. on Sunday until 2 a.m. on Monday, provided that a day of rest of at least 24 hours is granted every fortnight; (d) on two half-days in each week from 2 p.m. until 2 a.m. on the following day. Under § 4, work performed on legal days of rest may be deemed to be overtime for which the rates of pay must be at least 50 per cent. above the ordinary rates. For the application of this provision written agreements are required, otherwise the consent of the worker or employee concerned must be obtained in each case. § 5 provides that longer leave may be granted to a worker or employee for work performed on legal days of rest on the basis of one day's leave for eight hours' work. In this case a written contract must be made between the employer and the worker or employee. Should a worker or employee not have taken his leave at the time the contract expires, he receives a day's pay in respect of each rest day to which he is entitled but which he has not taken. The provisions of the Order do not apply to workers and employees of transport undertakings, in respect of whom a special Order is to be issued.

*Finland.* — See above under ARTICLE 4.

*India.* — The report of the Government states that the exemptions granted by the Local Governments in accordance with Article 4 of the Convention are, wherever possible, conditional on compensatory periods of rest being given.

*Italy.* — The report states that in all cases when, for economic reasons, a suppression or reduction of Sunday rest is authorised, the legislation cited in the report makes compulsory the grant of compensatory rest in accordance with Article 5 of the Convention (see also under ARTICLE 4).

*Latvia.* — The question does not arise.

*Poland.* — § 13 of the Act of 18 December 1919 provides that a worker who is employed for more than three hours on Sunday shall be allowed an equivalent number of hours of rest during the week. This provision, however, does not apply to establishments working continuously.

*Rumania.* — § 12 of the Act of 18 June 1925 provides for a compensatory rest in the following week for workers in an undertaking where the weekly rest is suspended because their work is considered an indispensable adjunct in connection with the execution of the urgent work specified in the first paragraph of § 12 (see under ARTICLE 4).

*Spain.* — § 7 of the Decree of 8 June 1925 provides for compensatory rest in cases of suspensions or diminutions made

in virtue of the same section. As already noted under ARTICLE 2, § 49 of the Regulations of 17 December 1926 provides that when work on a Sunday does not exceed a maximum of four hours, the workers concerned have a right to four consecutive, hours rest on another day of the week whether the Sunday work was actually of four hours' duration or not.

ARTICLE 6 of the Convention is as follows :

Each Member will draw up a list of the exceptions made under Articles 3 and 4 of this Convention and will communicate it to the International Labour Office, and thereafter in every second year any modifications of this list which shall have been made.

The International Labour Office will present a report on this subject to the General Conference of the International Labour Organisation.

*Bulgaria.* — No exceptions have been made under Articles 3 and 4.

*Chile.* — The list of exceptions under Article 4 is contained in the Regulations of 16 January 1918. See above under ARTICLE 4.

*Czechoslovakia.* — The question does not arise.

*Estonia.* — Lists have been communicated in respect of Article 4. See under ARTICLE 4.

*Finland.* — The report for the year ending 31 December 1924 contained a statement of the exceptions to the uniform application of the weekly rest. The 1926 report states that, by a decision of the Council of State of 2 December 1925, the same exceptions were permitted during the year 1926. See under ARTICLE 4.

*India.* — The 1924 report of the Government of India included a list of the principal factories and processes for which exemptions had been granted. No modifications to this list are mentioned in the report for the year 1926. See under ARTICLE 4.

*Italy.* — The report for 1924 referred to the lists of exceptions issued in application of the legislation concerned. No modifications of these lists have been subsequently reported. See under ARTICLE 4.

*Latvia.* — The question does not arise.

*Poland.* — The Government has communicated information regarding the cases in which exceptions are permitted. See under ARTICLE 4.

*Rumania.* — The Government has communicated information regarding the cases in which exceptions are permitted. See under ARTICLE 4.

*Spain.* — No exceptions are reported to have been made under Articles 3 and 4.

ARTICLE 7 of the Convention is as follows :

In order to facilitate the application of the provisions of this Convention, each employer, director, or manager, shall be obliged :

(a) Where the weekly rest is given to the whole of the staff collectively, to make known such days and hours of collective rest by means of notices posted conspicuously in the establishment or any other convenient place, or in any other manner approved by the Government.

(b) Where the rest period is not granted to the whole of the staff collectively, to make known, by means of a roster drawn up in accordance with the method approved by the legislation of the country, or by a regulation of the competent authority, the workers or employees subject to a special system of rest, and to indicate that system.

*Bulgaria.* — The Health and Safety of Workers Act, 1917, provides in § 20 that "every employer shall be bound to enter in the works' rules of his undertaking the time at which the period of rest is to be allowed to the workers."

*Chile.* — The Acts of 26 August 1907 and 5 November 1917 provide that when special arrangements have been made with regard to the days of rest, or when the days of rest are granted in rotation, it shall be necessary to specify the days of rest in notices affixed in the workplaces, or in other prominent places.

*Czechoslovakia.* — The Industrial Code provides that in every undertaking employing more than 20 workers workshop regulations must be posted showing *inter alia* the working days, hours at which work begins and ends, and times of breaks.

*Estonia.* — § 7 of the Act of 17 December 1925 provides that the management of an industrial undertaking must prepare a schedule of the days of rest, indicating more particularly the work which must be performed on Sundays and holidays, the way in which this work is to be performed, and the days of rest granted to the workers employed on Sundays and holidays. This schedule must be approved by the labour inspector and posted in the undertaking in a place accessible to the workers. In undertakings for which the Labour Code prescribes special works' regulations (Labour Code, §§ 60 and 103, 1913 version) this schedule must be included in the regulations. It is further provided in § 3 of the Order of 23 October 1926 that the schedule must also show which of the several arrangements for the weekly rest provided for in § 2 of the Order are in force in the undertaking concerned.

*Finland.* — According to § 8 of the Eight-Hour Day Act "in every factory and workroom falling under this Act,



or at the actual place of work, the employer shall cause a copy of this Act and a notice concerning the actual division of working hours to be always accessible in a suitable place."

*India.* — § 36 (1) of the Factories Act provides that "there shall be affixed in some conspicuous place near the main entrance of every factory, in English and in the language of the majority of the operatives in such factory, ... a notice containing the standing orders of the factory upon.... the weekly holidays fixed under § 22." A copy of this notice is sent to the inspector, who is also informed of any changes. By the Mines Act in every mine there must be kept in the prescribed form and plan a register of all persons employed in the mine showing *inter alia* their days of rest.

*Italy.* — The Orders of 7 November 1907 and 8 August 1908<sup>1</sup> respecting the administration of the Act of 7 July 1907 lay down that in establishments where, in consideration of a compensatory period of rest, work is performed on Sunday under a system of rotation or in any other manner, a register or notice showing the alternation of shifts must be exhibited in a conspicuous place. The Legislative Decree of 22 July 1923 containing service regulations for the staff of the State railways lays down in § 5 (2) that a copy of the working lists and shift time-tables shall be posted up in a convenient place, usually before coming into operation, in order that the employees concerned may acquaint themselves therewith. § 10 of the Legislative Decree of 19 October 1923 concerning the work of the staff employed in public transport services worked under a concession provides that the companies shall post up the shift time-tables in the offices, passenger and goods stations, depots and workshops, so that the staff may acquaint themselves therewith. The Royal Decree of 31 December 1924 concerning the legal and economic position of wage-earners employed by the State administration stipulates in § 84 that a copy of the time-table established shall be affixed at the entrance to the undertakings and offices and in each workshop.

*Latvia.* — § 20 of the Act of 24 March 1922 respecting hours of work stipulates that a copy of the Act shall be affixed by employers in a place readily visible to the workers in every undertaking and establishment and § 7 provides for the keeping, in the form approved by the Ministry of Labour, of an overtime register.

*Poland.* — The report states that, in the territory in which the Austrian Industrial Code is still in force, special lists make known the hours at which work

begins and ends and the rest periods; in the territory formerly belonging to Russia, time-tables contain, both for adults and young persons, the hours of work, the number and length of the rest periods, the time at which work ends on the day before Sundays and holidays, and the list of holidays; in former Prussian Poland the German Industrial Code provides for making known the hours at which work begins and ends, and the periods of rest. An Order of 14 December 1924<sup>1</sup>, issued in application of §§ 11 and 20 of the Act of 2 July 1924<sup>2</sup> relating to the employment of women and young persons, provides that the register of young persons shall make known the times at which work begins and ends, and the periods of rest.

*Rumania.* — The Act of 18 June 1925, and the Regulations of 24 June 1925 issued in application of the Act, contain no provisions equivalent to those of Article 7.

*Spain.* — § 11 of the Decree of 8 June 1925 provides that the employer shall be obliged: (a) where the weekly rest is given to the whole of the staff collectively, to make known the days and hours of rest fixed in accordance with the provisions of the Decree by means of notices posted conspicuously in the establishment, or to make them known in a more convenient form, approved by the Labour Inspection Service, when work is not ordinarily carried on in a specified place; (b) where the weekly rest is not given to the whole of the staff collectively, to make known, by means of a roster drawn up in accordance with the form prescribed by the Labour Inspection Service, the workers or employees subject to a special system of rest, and to indicate that system.

### III. Enforcement of legislation.

*Bulgaria.* — The supervision of the application of the Health and Safety of Workers Act, 1917, is entrusted to the labour inspectors under the control of the Superior Labour and Social Insurance Council. Contraventions may be punished by fines not exceeding 250 levas in respect of each worker employed or not exceeding a total of 5,000 levas for the whole undertaking for the first offence, or 10,000 levas for any subsequent offence.

*Chile.* — The report states that the supervision of the application of the weekly rest legislation falls to the communal authorities. On conviction by a court of summary jurisdiction, fines are imposed.

<sup>1</sup> B.B., Vol. V, 1910, p. 118.

<sup>1</sup> L.S., 1924, Pol. 9.

<sup>2</sup> L.S., 1924, Pol. 2.



*Czechoslovakia.* — See the analysis of the report on the *Hours Convention*.

*Estonia.* — The factory inspectors are entrusted with the supervision of the application of the Act of 17 December 1925 and employers and managers are required to give them every facility for the inspection of their premises. Breaches of the Act on the part of the employer or manager are punishable by fines which may amount to 10,000 marks.

*Finland.* — Supervision of the observance of the regulations in force is entrusted to the factory inspectors, who must be notified of the division of the working hours, the overtime and emergency work performed, which records must also be produced on the demand of the workers' delegates. Contraventions of the provisions of the Eight-Hour Day Act respecting working time render the employer or his representative liable to a fine of not exceeding 10,000 marks, or on repetition of the offence or after warning from the inspector, of not exceeding 20,000 marks. Contraventions of other provisions of the Act by employers or their representatives entail a liability to fines of from 25 to 1,000 marks. In cases where the State, a municipality or a parish council is the employer, the official responsible for carrying out this Act may be punished by fines of from 25 to 1,000 marks for a first offence or from 25 to 2,000 marks for a repetition of the offence.

*India.* — The Factories Act is administered by the Factories Department subordinate to the provincial Governments. The Mines Act is administered by the Mines Department subordinate to the Central Government. See also the analysis of the report on the *Hours Convention*.

*Italy.* — The supervision of the provisions relating to the weekly rest in private industrial undertakings is entrusted to the Ministry of National Economy, which acts through the industrial inspectors, the mines inspectors, the communal authorities and the police authorities. The authorities to whom the enforcement of the regulations is confided possess the right of entry into the workshops covered and draw up statements of the contraventions committed. Offences are punishable by fines of from 5 to 10 lire for each person illegally employed provided that the total amount of the fine must not exceed 1000 lire. The fines are increased by from 33 to 50 % in cases of second offences or when the inspectorate has been hampered in the performance of their duties.

*Latvia.* — The Ministry of Labour, with the labour inspectorate, attached to its

Department of Labour Protection, is responsible for the supervision of application.

*Poland.* — Supervision is entrusted to (a) the administrative authorities of first instance (temporarily); (b) the factory inspectorate; (c) to the Minister of Labour and Social Welfare acting in agreement with the Minister of Industry and Commerce and, in the case of undertakings directly under other Ministries, the appropriate Minister acting in agreement with the Minister of Labour and Social Welfare. See also the analysis of the report on the *Convention fixing the minimum age of admission of children to industrial employment*.

*Rumania.* — The enforcement of the application of the Act of 18 June 1925 is entrusted to the inspecting and supervising authorities of the Ministry of Labour, Co-operation and Social Insurance, Ministry of Industry and Commerce, and Ministry of the Interior. It also devolves upon the prefects of departments and of the police, upon the presidents and secretaries of chambers of labour and of chambers of industry and commerce, upon the representatives of the public prosecutor, upon the justices of the peace, and upon various local police and administrative officials. Contraventions are punishable by fines of from 500 to 5,000 lei, or, where more than ten workers are employed, of from 1000 to 10,000 lei.

*Spain.* — The enforcement of the Royal Legislative Decree of 8 June 1925 devolves as a general rule upon the labour inspectors, or in some cases upon the local delegations of the Labour Council through their commissions of inspection, or upon the local and administrative authorities. Contraventions are punishable by fines of from one to 25 pesetas in individual cases, or of from 25 to 250 pesetas when the number of workers employed does not exceed ten, or, where more workers are employed, a fine equivalent to the wages paid. These fines are increased in the case of subsequent offences.

#### IV. *Application to colonies, etc.*

*Italy.* — The Government reports that the application of the Convention has not yet been extended to the colonies.

*Spain.* — The Government reports that the legislation in force applies to all territories subject to Spanish sovereignty.

The question does not arise in the case of *Bulgaria, Chile, Czechoslovakia, Estonia, Finland, India, Latvia, Poland and Rumania*.



## APPENDIX.

The following list shows the industries and occupations which, in pursuance of § 2 (a) of the Italian Act, may obtain, in respect of the whole duration of work, an exception to the obligation of the weekly rest. This table is not to apply to the industries named in Nos. 3, 4, 5, 7, 8, 9, 11, 12 and 14, which are carried on for more than

three months in the year; in such cases exceptions to Sunday rest and not to weekly rest being alone permitted. The same is the case where in one and the same undertaking the same staff is employed consecutively in several industries named in the table which altogether are carried on for more than three months.

No.	INDUSTRY.	Occupations in respect of which the exception is allowed.
-----	-----------	-----------------------------------------------------------

(Ministerial Decree of 30 October 1908.)

1.	Silk worm rearing and the silk industry	In respect of the collection of cocoons and the suffocating of the chrysalis.
2.	Breeding	During the season when the caterpillars emerge.
3.	Unrefined beetroot sugar factories	Loading, unloading and transporting beetroots, and all other occupations in the manufacture of the unrefined sugar, and the subsequent preparation of the molasses. Packing and despatching the finished product is not included.
4.	Fish pickling	During the only season (not exceeding three months) when it is possible to prepare any particular kind of fish.
5.	Fish preserving	Ditto.
6.	Margarine factories	During a period not exceeding three months in the summer season in respect of workmen employed in the preliminary treatment of the fat for the purpose of preventing it from going bad.
7.	Sausage factories	In respect of all occupations in the preparation of pig's flesh which, for climatic reasons, cannot be carried on for more than three months in the year.
8.	Candied fruit factories	In respect of the receipt, cleaning, and first cooking of the fruit.
9.	Tomato preserving factories	In respect of all occupations from the receipt of the tomatoes until the packing of the preserves.
10.	The oil industry.	In respect of all workmen employed in the oil industry in the treatment of fresh olives.
11.	Preserved food factories	In respect of all occupations in the receipt and treatment of the food required to prevent it going bad.
12.	Extraction of alcohol and cream of tartar from grape husks	In respect of occupations in the transport and storage of the grape husks in the preserving pits; in the distillation of the same, and in the crystallisation of the cream of tartar during the grape vintage.
13.	The vine growing industry	In respect of the transport and pressing of the grapes, drawing off the must, fermentation of the must, and the pressing of the husks.
14.	Almond cake factories	In respect of all occupations in the manufacture of the cakes including the despatching of the same.

(Ministerial Decree of 7 August 1909.)

15.	Cold storage of poultry and game	In respect of the storage of poultry and game from 1 November to 31 December.
16.	Manufacture of gingerbread	In respect of all occupations in the manufacture of gingerbread, including the despatching of the same.
17.	The truffle industry	In respect of the reception, treatment, sterilisation, and despatch of fresh and preserved truffles.

(Ministerial Decree of 24 October 1910.)

18.	The tunny fish industry	In respect of all occupations in the handling of the tunny fish.
-----	-------------------------	------------------------------------------------------------------

The following list shows the industries, occupations and duration of the exceptions issued in pursuance of § 2 (c) of the Italian Act permitting derogations from the obligation of the weekly rest for not more than six weeks annually :

No.	INDUSTRY.	Occupations in respect of which the exception is allowed.	Duration of the exception.
<i>(Ministerial Decree of 31 October 1908.)</i>			
1.	Toy factories	In respect of the whole manufacturing process and of despatching	Six weeks before Christmas.
2.	Candied fruit, chocolate, biscuit, and confectionery	Ditto.	Three weeks before Christmas and three before Easter.
3.	Bathing establishments and hydropathic institutions	In respect of the whole staff employed in such establishments	The summer season.
4.	The manufacture of machines and receptacles for wine and oil	In respect of repair of wine and oil machines and the manufacture of the casks	The months of August, September, and October.
5.	The publishing trade (modified by the Ministerial Decree of 23 December 1909)	In respect of the publication, the binding and despatch of school books	The months of October and November.
6.	The fur trade	In respect of the making of fur goods	The months of October, November and December.
<i>(Ministerial Decree of 7 August 1909.)</i>			
7.	Undertakings for refining and milling sulphur and the store rooms appertaining to the same	In respect of all occupations in loading ships, waggons and vehicles for immediate departure	From 15 April to 31 May.
8.	Manufacture of cells for silkworm breeding	In respect of the workers employed in the manufacture of cells	During six weeks before breeding time.
<i>(Ministerial Decree of 9 November 1909.)</i>			
9.	Renovation of gravestones etc., and work in the gardens of cemeteries	In respect of the staff employed on this work and excluding the staff employed in the manufacture of new monuments, etc.	During the last fortnight in October.
10.	Manufacture of funeral wreaths	In respect of the staff employed on this work.	During the month of October.
<i>(Ministerial Decree of 11 April 1910.)</i>			
11.	Daily newspapers	In respect of the staff employed in the receipt of subscriptions, the preparation and printing of addresses in so far as these tasks are directly dependent on the newspapers	Six weeks in the months of December and January.
<i>(Ministerial Decree of 13 February 1911.)</i>			
12.	Undertakings for the cleaning and repair of stoves and chimneys	In respect of the whole staff employed in the undertakings	During the months of October, November and December.
13.	Game and poultry industries	In respect of staff employed in the handling, preservation and despatch of poultry and game, excluding the staff employed on work connected with the feathers	From the second Sunday in December to the second Sunday in January.



**Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers.**

**I.**

This Convention came into force on 20 November 1922. Reports have been received in respect of the year ended 31 December 1926 from *Bulgaria, Denmark, Estonia, Finland, India, Italy, Latvia, Poland, Rumania, Spain* and *Sweden*.

The Government of *India* reports that the Convention is not at present enforced by legislative measures as distinct from executive regulations. The shipping officers are instructed not to permit any young person to be signed on as a trimmer or stoker in contravention of the terms of the Convention. It is intended to embody provisions on the lines of the Convention in a Bill to amend the Indian Merchant Shipping Act, 1923<sup>1</sup>.

<sup>1</sup> By letter of 13 March 1925 the Secretary of State for India informed the Office that the following action had been taken to give effect to this Convention:

The Government has informed Local Governments in India that the amendment of the Indian Merchant Shipping Act is still under consideration and that some time may elapse before an amended Merchant Shipping law can be enacted. In the meantime the Government of India considers that the requirements of the Convention should be met by the issue of executive instructions by Government to those concerned. In 1911 instructions were issued by the Governments of Bombay, Madras, Bengal and Burma to Shipping Masters requiring them to pay particular attention to the physique of young lascars seeking employment

The report of the Government of *Latvia* states that a Bill concerning the employment of children and young persons on board ship has been drawn up, which embodies the provisions of the Convention.

As regards *Rumania*, the Government, in reply to the letter of the International Labour Office of 17 December 1926 transmitting the forms for annual reports under Article 408 of the Treaty of Versailles, explained in a communication dated 17 March 1927 that the provisions of this Convention have been taken into consideration in drafting the Bill relating to the employment of minors and women, which is under examination by the Superior Legislative Council and will shortly be submitted to Parliament.

The Government of *Spain* reports that the Regulations of 26 March 1925, under which the Convention was applied, have been included in the Labour Code promulgated on 23 August 1926. The section of the Regulations relating to the provisions of the Convention has become § 41 of the Code.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to submit reports under Article 408:

in the engine room of steamers. By these instructions Shipping Masters were prohibited from engaging young lascars under eighteen years of age for employment in the engine-room of foreign-going steamers and of those under sixteen years of age in the case of steamers engaged in the coasting trade. The Government of India has now directed the Local Governments to amplify these instructions so as to bring them into accordance with the provisions of the Convention in question.

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last Report received.		
Bulgaria. . . . .	6.	3.	1925	6.	3.	1925	19.	3.	1927
Denmark . . . . .	12.	5.	1924	8.	7.	1924	17.	2.	1927
Estonia . . . . .	8.	9.	1922	19.	8.	1925 <sup>1</sup>	7.	2.	1927
Finland . . . . .	10.	10.	1925	10.	10.	1925	21.	2.	1927
India . . . . .	20.	11.	1922	20.	11.	1922 <sup>2</sup>	24.	2.	1927
Italy . . . . .	8.	9.	1924	8.	9.	1924 <sup>3</sup>	19.	3.	1927
Latvia . . . . .	9.	9.	1924	9.	9.	1924 <sup>2</sup>	12.	2.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>4</sup>	18.	3.	1927
Rumania . . . . .	18.	8.	1923	— <sup>2</sup>			21.	3.	1927
Spain . . . . .	20.	6.	1924	14.	4.	1925 <sup>5</sup>	13.	4.	1927
Sweden . . . . .	14.	7.	1925	14.	7.	1925	17.	2.	1927

<sup>1</sup> Date of coming into force of the Order of 19 February 1925.

<sup>2</sup> See introductory note above.

<sup>3</sup> A Royal Decree of 27 December 1925 ordered that the Convention should be fully and completely observed in Italy.

<sup>4</sup> The report states that the Convention came into operation on 23 January 1924.

<sup>5</sup> Date of coming into force of the Royal Decree of 26 March 1925.

## II. Legislation.

### ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned ; it excludes ships of war.

*Bulgaria.* — The Regulations relating to the crews of merchant vessels belonging to the Bulgarian Navigation Company, which came into force on 8 August 1923, and under which the Convention is applied, use the term "vessel" without further definition.

*Denmark.* — No specific definition of the term "vessel" is given in the Seamen's Act of 1 May 1923<sup>1</sup>.

*Estonia.* — The term "vessel" is not specifically defined in the Order of the Minister of Labour and Social Welfare, dated 19 February 1925, respecting the prohibition of the employment of young persons under the age of eighteen years as stokers or trimmers<sup>2</sup>.

*Finland.* — § 86 of the Seamen's Act of 8 March 1924<sup>3</sup>, as amended by the Act of 26 May 1925<sup>4</sup>, lays down that the provisions of §§ 10 and 11 of the Seamen's Act, under which the Convention is applied, shall not apply to vessels belonging to the State which are used for purposes of defence or to vessels on which only persons belonging to the owner's family are employed.

*Italy.* — No specific definition of the term "vessel" is given in the Regulations for seamen's employment exchanges, which were approved in 1920 by the Royal Maritime Commission set up by the Royal Decree of 14 August 1919, and the Circular of 10 February 1922 of the General Directorate of the Mercantile Marine containing instructions for the working of these exchanges, under which the Convention is applied.

*Poland.* — No specific definition of the term "vessel" is given in the Decree of 29 July 1925<sup>5</sup>.

*Spain.* — No specific definition of the term "vessel" is given in the sections of the Labour Code in which the provisions of the Regulations respecting the engagement of crews for merchant vessels, approved by Royal Decree of 26 March 1925<sup>6</sup>, have been included.

*Sweden.* — No specific definition of the term "vessel" is given in the Seamen's Act of 15 June 1922<sup>1</sup>, as amended by the Act of 27 February 1925<sup>2</sup>. (See however under ARTICLE 2).

### ARTICLE 2 of the Convention is as follows :

Young persons under the age of eighteen years shall not be employed or work on vessels as trimmers or stokers.

*Bulgaria.* — § 3 of the Regulations respecting the crews of the merchant vessels of the Bulgarian Navigation Company provides *inter alia* that the minimum age for admission to employment on board ship shall be twenty-one years.

*Denmark.* — § 10 of the Seamen's Act of 1 May 1923 stipulates that young persons under eighteen years of age shall not be employed as stokers or coal trimmers.

*Estonia.* — By § 11 of the Employment of Children, Young Persons and Women Act<sup>3</sup>, the Minister of Labour and Social Welfare is empowered to supplement the present provisions of the Act by drawing up, in agreement with the other Ministers concerned, a list of unhealthy and exhausting occupations in which young persons under eighteen years of age must not be employed. In pursuance of this clause, the Minister of Labour and Social Welfare, after consultation of the Minister of Communications, issued an Order on 19 February 1925 § 1 of which prohibits the employment as trimmers or stokers of young persons under eighteen years of age.

*Finland.* — § 10 of the Seamen's Act of 8 March 1924 provides that "young male persons under eighteen years of age shall not be employed as stokers or coal trimmers on steam vessels."

*Italy.* — § 8 of the Regulations for seamen's employment exchanges prohibits the engagement as trimmers of persons who are less than eighteen years of age and who have not served for at least eighteen months of effective sea service as shipboys, deck apprentices or boys attached to the cabin or kitchen staffs. It further prohibits the engagement as stokers of persons of less than twenty years of age and who have not served as trimmers for at least eighteen months of effective sea service.

*Poland.* — § 4 of the Act of 2 July 1924 relating to the employment of women and young persons<sup>4</sup> prohibits the employment

<sup>1</sup> L. S., 1923, Den. 2.

<sup>2</sup> L. S., 1925, Est. 1.

<sup>3</sup> L. S., 1924, Fin. 1.

<sup>4</sup> L. S., 1925, Fin. 2.

<sup>5</sup> L. S., 1925, Pol. 2.

<sup>6</sup> L. S., 1925, Sp. 1.

<sup>1</sup> L. S., 1922, Swe. 1.

<sup>2</sup> L. S., 1925, Swe. 1.

<sup>3</sup> L. S., 1924, Est. 1.

<sup>4</sup> L. S., 1924, Pol. 2.



of young persons in work which is particularly heavy or unhealthy and provides that the Minister of Labour and Social Welfare in agreement with the other Ministers concerned shall issue lists of such employments after consultation with the associations of employers and workers. In accordance with this clause a Decree was issued on 29 July 1925 enumerating the occupations in which young persons may not be employed. In this enumeration is included employment on vessels as trimmers or stokers. For the purposes of the Act of 2 July 1924 the term "young persons" is held to mean persons of both sexes who have attained the age of fifteen years but not that of eighteen years.

*Spain.* — § 41 of the Labour Code provides that "young persons under the age of eighteen years shall not be employed or work on vessels as trimmers or stokers."

*Sweden.* — § 10 of the Swedish Seamen's Act of 15 June 1922 as amended by the Act of 27 February 1925 provides that "young persons under sixteen years of age shall not be employed as stokers" and "young persons under eighteen years of age shall not be employed as stokers or trimmers on a vessel which is propelled mainly by steam, when the vessel is used in navigation outside Swedish waters elsewhere than in Oresund or in Oslo Fjord as far as Laurvig."

*ARTICLE 3 of the Convention is as follows :*

The provisions of Article 2 shall not apply :

(a) to work done by young persons on school-ships or training-ships, provided that such work is approved and supervised by public authority ;

(b) to the employment of young persons on vessels mainly propelled by other means than steam ;

(c) to young persons of not less than sixteen years of age, who, if found physically fit after medical examination, may be employed as trimmers or stokers on vessels exclusively engaged in the coastal trade of India and of Japan, subject to regulations made after consultation with the most representative organisations of employers and workers in those countries.

*Bulgaria.* — By § 5 of the Regulations respecting the crews of the vessels of the Bulgarian Navigation Company it is provided that "candidates for appointments as cadets intending to continue their instruction in a school-ship shall at least have completed their course in class V of the secondary school. They may be admitted while under the age of twenty-one years." The employment of young persons on vessels mainly propelled by other means than steam is not referred to.

*Denmark.* — No mention is made in the Seamen's Act of 1 May 1923 of the exceptions permitted by Article 3.

*Estonia.* — § 2 of the Order of the Minister of Labour and Social Welfare exempts from the general prohibition, in the terms of Article 3 (a) and (b) of the Convention, the work of young persons on school ships or training ships and the work of young persons on vessels mainly propelled by other means than steam.

*Finland.* — § 10 of the Seamen's Act of 8 March 1924 provides that the prohibition of the employment of male young persons under eighteen years of age as stokers or coal trimmers shall not apply to training or practice vessels if work on these vessels is approved and supervised by a public authority. Since the Act expressly states that it is on steam vessels that the employment of young persons under eighteen years of age as trimmers or stokers is prohibited, it appears that their employment on vessels mainly propelled by other means than steam is permitted.

*Italy.* — No mention is made of the exceptions permitted by Article 3.

*Poland.* — With regard to the exception permitted by paragraph (a), the Decree of 29 July 1925 stipulates in § 3 that the Minister of Labour and Social Welfare may, after consultation with the associations of employers and workers concerned and in agreement with the Minister of Industry and Commerce, authorise the employment of young persons on the dangerous or unhealthy work detailed in the Decree, with a view to their occupational training.

*Spain.* — § 41 of the Labour Code exempts from the general prohibition, in the terms of Article 3 (a) and (b) of the Convention, the work of young persons on school ships or training ships and the work of young persons on vessels mainly propelled by other means than steam.

*Sweden.* — § 10 of the Seamen's Act of 15 June 1922, as amended by the Act of 27 February 1925, states that the Crown shall have power to allow exceptions in special cases. It is further provided in § 73 of the Act that persons who were employed as stokers or trimmers prior to the coming into operation of the Act may continue to be so employed.

*ARTICLE 4 of the Convention is as follows*

When a trimmer or stoker is required in a port where young persons of less than eighteen years of age only are available, such young persons may be employed and in that case it shall be necessary to engage two young persons in place of the trimmer or stoker required. Such young persons shall be at least sixteen years of age.

*Bulgaria.* — This exception is not permitted by the Regulations respecting the

crews of the vessels of the Bulgarian Navigation Company.

*Denmark.* — No similar provision is contained in the Seamen's Act of 1 May 1923.

*Estonia.* — § 3 of the Order of the Minister of Labour and Social Welfare permits, in any port where young persons of less than eighteen years of age are alone available, the engagement of young persons over sixteen years of age, provided that in the place of a trimmer or stoker required two young persons are engaged.

*Finland.* — No similar provision is contained in the Seamen's Act of 8 March 1924.

*Italy.* — The Regulation for seamen's employment exchanges stipulates in § 8 that in cases where persons possessing the requisite qualifications are not available for manning the ships such exceptions to § 8 may be permitted as are required.

*Poland.* — No similar provision is contained in the Decree of 29 July 1925.

*Spain.* — § 41 of the Labour Code provides that when it is not possible to find trimmers or stokers over eighteen years of age in the port at which the vessel is at anchor, young persons of less than eighteen and more than sixteen years of age may be employed, provided that it shall be necessary to engage two such young persons in place of the trimmer or stoker required.

*Sweden.* — § 10 of the Seamen's Act of 15 June 1922, as amended by the Act of 27 February 1925, states that the Crown shall have power to allow exceptions in special cases.

#### ARTICLE 5 of the Convention is as follows :

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of eighteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

*Bulgaria.* — Applicants for employment in the Bulgarian Navigation Company are required to submit birth certificates to prove that they are over twenty-one years of age. These certificates are registered in the work books, which, in accordance with § 7 of the Regulations respecting the crews of the vessels of the Bulgarian Navigation Company, are supplied to their seamen on their entry into employment.

*Denmark.* — Under § 1 of the Act of 26 February 1872, relating to the engagement and discharge of crews, a master of a Danish ship who, while in a Danish port, engages a new crew, or one or more new members of the crew, must cause the changes to be inscribed by the registration officer on the muster roll before the ship sails. Provision is also made for the periodical inspection of the muster roll whilst the vessel is in Danish waters and for inspection at the first Danish port of call on return from a voyage during which new members of the crew have been engaged.

*Estonia.* — § 21 of the Employment of Children, Young Persons and Women Act, under which the Order of 19 February 1925 was issued, provides that the head of every industrial undertaking (the definition of which includes transport by sea) is to keep a register showing the date of birth of all persons under eighteen years of age employed by him.

*Finland.* — § 11 of the Seamen's Act of 8 March 1924 provides that seamen shall be furnished by the captain with a wages book drawn up in accordance with the form prescribed by the Shipping Board, which book shall contain the date of the seaman's birth.

*Italy.* — The Mercantile Marine Code of 24 October 1877 and the Regulations of 20 November 1879 for the execution of this Code provide that the captain must keep a muster roll showing the state of the crew (§ 323 of the Regulations).

*Poland.* — § 11 of the Employment of Women and Young Persons Act provides that every employer who employs young persons (i.e. persons between fifteen and eighteen years of age) "shall keep a register of the said young persons in accordance with a model prescribed by the Minister of Labour and Social Welfare", which register is open to the examination of the factory inspection authorities. The prescribed model was published in the Decree of 14 December 1924<sup>1</sup>.

*Spain.* — § 35 of the Labour Code provides that the articles of agreement shall mention the date of birth of every person under eighteen years of age.

*Sweden.* — §§ 36 and 51 of the Royal Order of 13 June 1911 concerning shipping offices and the engagement and discharge of seamen, etc., contain provisions which, as regards the date of birth, are in conformity with those of Article 4 of the

<sup>1</sup> L. S., 1924, Pol. 9.



*Convention fixing the minimum age for admission of children to employment at sea.* A Royal Decree was issued on 22 December 1922 amending certain portions of this Order in order to bring it into stricter accordance with the stipulations regarding the registration of the age of minors employed on board ship. § 11 of the Seamen's Act of 1922 provides that each seaman shall be furnished with a wages book showing, *inter alia*, the date of his birth.

ARTICLE 6 of the Convention is as follows :

Articles of agreement shall contain a brief summary of the provisions of this Convention.

*Bulgaria.* — § 7 of the Regulations respecting the crews of the vessels of the Bulgarian Navigation Company provides that the work book shall contain " extracts from the acts, regulations and international conventions relating to navigation and working conditions which should be known by the seaman."

*Denmark.* — No similar provision is contained in the Seamen's Act of 1 May 1923.

*Estonia.* — § 4 of the Decree of the Minister of Labour and Social Welfare provides that the articles of agreement shall contain a summary of the provisions of the Decree.

*Finland.* — § 88 of the Seamen's Act of 8 March 1924 requires the captain to see that a copy of the Act is accessible on board.

*Italy.* — No information is given on this point.

*Poland.* — No information is given on this point.

*Spain.* — § 35 (13) of the Labour Code provides that the articles of agreement shall contain a summary of the provisions of this Convention.

*Sweden.* — No information is given on this point.

### III. Enforcement of legislation.

*Bulgaria.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to employment at sea*. No contraventions have yet been reported.

*Denmark.* — See the analysis of the report on the *Convention fixing the minimum age for the admission of children to employment at sea*.

*Estonia.* — See the analysis of the report on the *Convention concerning employment of women during the night*.

*Finland.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to employment at sea*.

*India.* — The enforcing authorities are the shipping officers, who exercise supervision at the ports of recruitment at the time of signing agreements.

*Italy.* — The application of the measures is entrusted to the maritime authorities, who work under the control of the General Directorate of the Mercantile Marine at the Ministry of Communications.

*Latvia.* — The application of the provisions contained in the Bill concerning the employment of children and young persons on board ship will be entrusted to the Labour Protection Department of the Ministry of Social Welfare.

*Poland.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to industrial employment*.

*Spain.* — See the analysis of the report on the *Convention fixing the minimum age for the admission of children to employment at sea*.

*Sweden.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to employment at sea*.

### IV. Application to colonies, etc.

*Denmark.* — The Government specified at the time of ratification that ratification did not include *Greenland*.

*Italy.* — The application of the Convention has not yet been extended to the colonies.

*Spain.* — The report for 1925 stated that the Regulations approved by Royal Decree of 26 March 1925, now incorporated in the Labour Code, applied without modification to all territories under Spanish sovereignty.

The question does not arise in the case of *Bulgaria, Estonia, Finland, India, Latvia, Poland and Sweden*.

Convention concerning the compulsory medical examination of children and young persons employed at sea.

I.

This Convention came into force on 20 November 1922. Reports have been received in respect of the year ended 31 December 1926 from *Bulgaria, Estonia, Finland, India, Italy, Japan, Latvia, Poland, Rumania, Spain* and *Sweden*.

The Government of *India* reports that it is intended to embody provisions on the lines of the Convention in a Bill to amend the Indian Merchant Shipping Act, 1923. The practice of medical examination, nevertheless, was in force before the ratification of the Convention and all persons covered by the Convention are medically examined before proceeding to sea. Pending the adoption of legislative provisions, the Government has issued special instructions to medical officers regarding the strict enforcement of the Convention.

The report of the Government of *Italy* states that the provisions of the Royal Legislative Decree of 8 February 1923 relating to medical examination were extended until March 1927 by Royal Legislative Decree of 18 April 1925.

The *Latvian* Government states that "before the ratification of the Convention there were no legislative or administrative measures in Latvia guaranteeing the

medical examination of children and young persons employed at sea. Pending the drafting of such a law the Department of Marine of the Ministry of Finance promulgated on 26 February 1924 an administrative Decree requiring of all port authorities and inspectors that children and young persons be admitted to employment at sea solely in accordance with the provisions of the Convention. To secure the application of the provisions of the Convention a Bill has been drafted which will shortly be submitted to Parliament."

As regards *Rumania*, the Government, in reply to the letter of the International Labour Office of 17 December 1926 transmitting the forms for annual reports under Article 408 of the Treaty of Versailles, explained in a communication dated 17 March 1927 that the provisions of this Convention have been taken into consideration in drafting the Bill relating to the employment of minors and women, which is under examination by the Superior Legislative Council and which will be submitted to Parliament in the near future.

The Government of *Spain* reports that the Regulations of 26 March 1925, under which the Convention was applied, have been included in the Labour Code promulgated on 23 August 1926. The section of the Regulations relating to the provisions of the Convention has become § 40 of the Code.

The following table shows the countries which have ratified the Convention and which are under the formal obligation to furnish reports under Article 408 :

COUNTRIES WHICH HAVE RATIFIED.	Date of registration of ratification.			Date for application of provisions.			Last report received.		
Bulgaria . . . . .	6.	3.	1925	6.	3.	1925	19.	3.	1927
Estonia . . . . .	8.	9.	1922	8.	1.	1926 <sup>1</sup>	7.	2.	1927
Finland . . . . .	10.	10.	1925	10.	10.	1925	21.	2.	1927
India . . . . .	20.	11.	1922	20.	11.	1922 <sup>2</sup>	24.	2.	1927
Italy . . . . .	8.	9.	1924	8.	9.	1924 <sup>3</sup>	19.	3.	1927
Japan . . . . .	7.	6.	1924	7.	6.	1924	1.	3.	1927
Latvia . . . . .	9.	9.	1924	9.	9.	1924 <sup>2</sup>	12.	2.	1927
Poland . . . . .	21.	6.	1924	21.	6.	1924 <sup>4</sup>	18.	3.	1927
Rumania . . . . .	18.	8.	1923			— <sup>2</sup>	21.	3.	1927
Spain . . . . .	20.	6.	1924	14.	4.	1925 <sup>5</sup>	13.	4.	1927
Sweden . . . . .	14.	7.	1925	14.	7.	1925	17.	2.	1927

<sup>1</sup> Date of coming into force of the Act of 18 December 1925.  
<sup>2</sup> See introductory note above.  
<sup>3</sup> A Royal Decree of 27 December 1925 ordered that the Convention should be given full and complete effect in Italy.

<sup>4</sup> The report states that the Convention came into operation on 23 January 1924.  
<sup>5</sup> Date of coming into force of the Royal Decree of 26 March 1925.



## II. Legislation.

### ARTICLE 1 of the Convention is as follows :

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned ; it excludes ships of war.

*Bulgaria.* — The Regulations respecting the crews of merchant vessels belonging to the Bulgarian Navigation Company, which came into force on 8 August 1923, and under which the Convention is applied, use the term "vessel" without further definition.

*Estonia.* — § 1 of the Act of 18 December 1925 concerning the compulsory medical examination of children and young persons employed at sea<sup>1</sup> defines "vessel" as including all merchant ships engaged in maritime navigation, whether publicly or privately owned, which are entered in the Estonian shipping register.

*Finland.* — § 86 of the Seamen's Act of 8 March 1924<sup>2</sup>, as amended by the Act of 26 May 1925<sup>3</sup>, lays down that the provisions of §§ 10 and 11 of the Seamen's Act, under which the Convention is applied, shall not apply to vessels belonging to the State which are used for purposes of defence or to vessels on which only persons belonging to the owner's family are employed.

*Italy.* — The Legislative Decree of 8 February 1923 (No. 323) laying down new regulations for the admission of persons to employment as seamen and suspending for two years the provisions of §§ 19, 20, 21, 23 and 24 of the Mercantile Marine Code of 24 October 1877 and of the Regulations of 20 November 1879 in execution of the Mercantile Marine Code, the provisions of which have been extended, as far as they relate to this Convention, until March 1927 by the Legislative Decree of 18 April 1925, does not further define the term "vessel".

*Japan.* — The Act of 29 March 1923 concerning the minimum age and health certificate for seamen<sup>4</sup> applies, save in cases where only members of the same family are employed, to "seamen on vessels making coasting or longer voyages, except in the cases specified by Imperial Order" and includes, save for the penal provisions, "cases where a foreign State, a prefecture, a city, town, village or any similar body, is the employer." The Imperial Order of 19 November 1923<sup>5</sup> exempts from the

provisions relating to medical certificates "seamen on vessels engaged in fishing or on those whose total tonnage is less than 20 tons, or whose capacity is below 200 koku"<sup>1</sup>.

*Poland.* — The Employment of Women and Young Persons Act of 2 Juli 1924<sup>2</sup> applies generally to the employment of "young persons in industrial, mining and metallurgical undertakings, in commerce, in offices, in communication services and transport," and does not use the term "vessel".

*Spain.* — No specific definition of the term "vessel" is given in the sections of the Labour Code in which the Regulations respecting the engagement of crews for merchant vessels, approved by Royal Decree of 26 March 1925<sup>3</sup>, have been included.

*Sweden.* — § 1 (2) of the Royal Order No. 263 of 22 May 1925 concerning the standard of health and physique required of seamen before engagement for certain voyages applies to "vessels navigating outside Swedish waters elsewhere than in Oresund or in Oslo Fjord as far as Laurvig".

### ARTICLE 2 of the Convention is as follows :

The employment of any child or young person under eighteen years of age on any vessel, other than vessels upon which only members of the same family are employed, shall be conditional on the production of a medical certificate attesting fitness for such work, signed by a doctor who shall be approved by the competent authority.

*Bulgaria.* — § 3 of the Regulations respecting the crews of the vessels of the Bulgarian Navigation Company provides *inter alia* that the minimum age for admission to employment on board ship shall be twenty-one years. By § 6 "no man may be admitted to employment on board ship unless he produces a medical certificate signed by the port or a State doctor."

*Estonia.* — The Act of 18 December 1925 concerning the compulsory medical examination of children and young persons employed at sea lays down in § 2 that the employment of any child or young person under eighteen years of age on any vessel other than vessels upon which only members of the same family are employed shall be conditional on the production of a medical certificate attesting fitness for such work and signed by a doctor approved by the marine officer of the port.

<sup>1</sup> L. S., 1925, Est. 3.

<sup>2</sup> L. S., 1924, Fin. 1.

<sup>3</sup> L. S., 1925, Fin. 2.

<sup>4</sup> L. S., 1923, Jap. 3.

<sup>5</sup> L. S., 1923, Jap. 4.

<sup>1</sup> A koku equals 4.9629 bushels or 39.7033 gallons.

<sup>2</sup> L. S., 1924, Pol. 2.

<sup>3</sup> L. S., 1925, Sp. 1.

*Finland.* — § 10 of the Seamen's Act of 8 March 1924 provides that before a young person under eighteen years of age is engaged on board ship, it shall be ascertained by means of a medical examination paid for by the shipowners that the employment will not be injurious to the health or physical development of the young person. By § 86 vessels on which only persons belonging to the owner's family are employed are excepted from the provisions of the Act.

*Italy.* — The Legislative Decree of 8 February 1923 (No. 323) laying down new regulations for the admission of persons to employment as seamen and suspending for two years the provisions of §§ 19, 20, 21, 23 and 24 of the Mercantile Marine Code of 24 October 1877 and of the Regulations of 20 November 1879 in execution of the Mercantile Marine Code, provides by § 1 that persons shall not be signed on as seamen unless they have undergone a medical examination establishing their fitness for service at sea. The operation of the provisions of this Decree having been limited to two years, a Royal Legislative Decree was issued on 18 April 1925, extending them, as far as they relate to the subject matter of this Convention, until March 1927.

*Japan.* — The Act of 29 March 1923 provides by § 3 that "persons under eighteen years of age shall not be employed as seamen unless they hold a health certificate, signed by a doctor, attesting their fitness for work on vessels, as prescribed by the competent Minister."

*Poland.* — The Employment of Women and Young Persons Act of 2 July 1924 provides by § 6 that young persons (persons between the age of fifteen and eighteen years, the employment of children under the age of fifteen years being prohibited) must produce on entering employment a certificate from a medical practitioner, designated by the factory inspectorate, to the effect that the employment in question is not beyond the strength of the young person.

*Spain.* — § 40 of the Labour Code stipulates that the employment of any young persons under eighteen years of age on any vessel, other than vessels upon which only members of the same family are employed, shall be conditional on the production, at the time of engagement and every year subsequent to engagement, of a medical certificate, attesting fitness for the work for which they have been engaged, drawn up by the port medical authorities.

*Sweden.* — § 1 (2) of the Order of 22 May 1925 (No. 263) provides that "young persons under eighteen years of age may not be employed on board ship unless they have proved to the captain by the production of a medical certificate that they are free from disease or disability and that their physical development is without defect."

ARTICLE 3 of the Convention is as follows :

The continued employment at sea of any such child or young person shall be subject to the repetition of such medical examination at intervals of not more than one year, and the production, after each such examination, of a further medical certificate attesting fitness for such work. Should a medical certificate expire in the course of a voyage, it shall remain in force until the end of the said voyage.

*Bulgaria.* — This question does not arise as § 3 of the Regulations respecting the crews of the vessels of the Bulgarian Navigation Company provides *inter alia* that the minimum age for admission to employment on board ship shall be twenty-one years.

*Estonia.* — The Act of 18 December 1925 concerning the compulsory medical examination of children and young persons employed at sea lays down in § 3 that the continued employment at sea of any such child or young person shall be subject to the repetition of such medical examination at intervals of not more than one year and the production after such examination of a further medical certificate attesting fitness for such work. Should a medical certificate expire in the course of a voyage, it shall remain in force until the vessel reaches the port in which there is a doctor approved by the marine officer of the port.

*Finland.* — The Seamen's Act of 8 March 1924 provides in § 10 that if the young person employed on board ship is engaged for a considerable period it shall be ascertained by medical examination at regular intervals of not more than one year that the continuation of the employment will not be injurious to him. If the interval at the end of which the medical examination should be made expires during a voyage, the employment may be continued until the end of the voyage without a further examination.

*Italy.* — The report makes no reference to this provision.

*Japan.* — By § 3 of the Act of 29 March 1923 the period of validity of the health certificate, prescribed for persons under eighteen years of age employed as seamen, is one year. If this period expires during



a voyage the certificate is deemed valid until the end of the voyage.

*Poland.* — § 7 of the Employment of Women and Young Persons Act of 2 July 1924 lays down that the management of an undertaking shall be bound to arrange, at the request of the factory inspector, at any time for the gratuitous examination of a young person by the medical practitioner designated by the factory inspector, in order to ascertain that the work on which the young person is employed is not beyond his physical strength or injurious to his development. The inspector may, on account of the medical practitioner's findings, prohibit the employment of the young person on the work in question and also state the kind of work on which he may be employed. The Order of 14 December 1924<sup>1</sup>, which prescribes the model for the register of young persons which employers are required to keep under § 11 of the Act, provides that mention shall be made in the register of the medical certificates submitted by young persons.

*Spain.* — § 40 of the Labour Code stipulates that the employment of any young persons under eighteen years of age shall be conditional on the production, every year subsequent to engagement, of a medical certificate, attesting fitness for the work for which they have been engaged, drawn up by the port medical authorities.

*Sweden.* — § 2 of the Order of 22 May 1925 (No. 263) provides that "the medical certificate shall remain valid during the twelve months subsequent to the examination at which it is granted. Nevertheless, if its validity expires in the course of a voyage it shall remain in force until the end of the said voyage."

#### ARTICLE 4 of the Convention is as follows :

In urgent cases, the competent authority may allow a young person below the age of eighteen years to embark without having undergone the examination provided for in Articles 2 and 3 of this Convention, always provided that such an examination shall be undergone at the first port at which the vessel calls.

*Bulgaria.* — The question does not arise in regard to the crews of the vessels of the Bulgarian Navigation Company.

*Estonia.* — The Act of 18 December 1925 concerning the compulsory medical examination of children and young persons employed at sea provides in § 4 that in urgent cases the marine officer of the port may allow a young person below the age of eighteen years to embark without having undergone the examination provided for in §§ 2 and 3 always provided that such an

examination shall be undergone at the first port at which the vessel calls where there is a duly appointed doctor.

*Finland.* — No corresponding provision is contained in the Seamen's Act of 8 March 1924.

*Italy.* — No corresponding provision is contained in the Legislative Decree of 8 February 1923.

*Japan.* — § 3 of the Act of 29 March 1923 provides that the rule requiring the possession of a health certificate by any person under the age of eighteen years entering into employment as a seaman shall not apply in cases of urgency. Where, in accordance with the provision, persons without health certificates have been employed, the captain is required to take the necessary steps at the first port of call to obtain the prescribed certificates and in this case persons who fail to obtain such certificates may not continue to be employed.

*Poland.* — The Employment of Women and Young Persons Act contains no parallel provisions.

*Spain.* — § 40 of the Labour Code provides that in urgent cases young persons below the age of eighteen years may be embarked without submitting a certificate of this nature, provided that they be examined at the first port at which the vessels calls.

*Sweden.* — § 1 of the Order of 22 May 1925 (No. 263) provides that "if special reasons occur, the competent inspection authority in Swedish territory or the Swedish consuls abroad may allow a young person below the age of eighteen years to embark although the prescribed medical certificate has not been submitted to the captain. Such permission shall only be valid until such time as the vessel concerned calls at a place where there is a qualified doctor."

#### III. Enforcement of legislation.

*Bulgaria.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to employment at sea*. No contraventions have yet been reported.

*Estonia.* — The application of the Act of 18 December 1925 concerning the compulsory medical examination of children and young persons employed at sea is entrusted to the factory inspectors and to the marine officer of the port. Infractions of the Act are punishable by fines which may amount to 50,000 marks. The marine

<sup>1</sup> L. S., 1924, Pol. 9.

officers are authorised to draw up reports on contraventions for submission to the chief factory inspector. The ships' masters are required to permit visits by factory inspectors at all times, to lend them every necessary assistance and to obey the legal provisions. Any further regulations necessary for the application of the Act will be drawn up by the Minister of Labour and Social Welfare in agreement with the Minister for Communications.

*Finland.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to employment at sea*.

*India.* — The authorities entrusted with the enforcement of the Convention are the port health officers.

*Italy.* — Supervision is entrusted to the Ministry of Communications, which acts through the maritime authorities dependent on it. In accordance with the Mercantile Marine Code of 24 October 1877, the port shipping authorities make the entries in the seamen's admission lists and registers.

*Japan.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to employment at sea*.

*Latvia.* — Supervision of the application of the Convention is temporarily entrusted to the Department of Marine of the Ministry of Finance, but it is intended in the future to entrust it to the Labour Protection Department of the Ministry of Social Welfare.

*Poland.* — See the analysis of the report on the *Convention fixing the minimum age for admission of children to industrial employment*.

*Spain.* — See the analysis of the report on the *Convention fixing the minimum age*

*for admission of children to employment at sea*.

*Sweden.* — The supervision of the application of the Acts and regulations is entrusted to the commissioners of the shipping offices and to the other officials charged with the registration and inspection of ships. (See the analysis of the report on the *Convention fixing the minimum age for admission of children to employment at sea*.) The Order of 22 May 1925 (No. 263) provides that "captains who engage or employ persons or allow persons to be engaged or employed in contravention of the provisions of the Order shall be liable to fines of from 10 to 500 kroner. Shipowners shall be liable to the same penalties if the contraventions are committed with their knowledge or consent" (§ 4).

#### IV. *Application to colonies, etc.*

*Italy.* — The application of the Convention has not yet been extended to the colonies.

*Japan.* — The application of the Convention has not yet been extended to the colonies.

*Spain.* — The report for 1925 stated that the Regulations approved by Royal Decree of 26 March 1925, now incorporated in the Labour Code, applied without modification to all territories under Spanish sovereignty.

The question does not arise in the case of *Bulgaria, Estonia, Finland, India, Latvia, Poland and Sweden*.

Geneva, May 1927.

ALBERT THOMAS.



## APPENDIX I TO THE SECOND PART.

### Report of the Committee of Experts appointed to examine the annual reports made under Article 408.

The Committee of Experts<sup>1</sup>, the constitution of which was decided upon by the International Labour Conference at its Eighth Session for the purpose of making a careful examination of the reports presented by the States Members of the International Labour Organisation in application of Article 408 of the Treaty of Versailles, met at the International Labour Office on 2 May 1927 and the following days under the chairmanship of Mr. Tschoffen, former Minister of Labour of Belgium. All the members of the Committee were present at the meeting with the exception of Mr. Quadrat, who was replaced by Mr. Koszembar-Lyskowski. Mr. Jules Gautier was appointed Reporter. The reports rendered by the States had been previously communicated to each of the members of the Committee by the International Labour Office<sup>2</sup>.

The object of the constitution of the Committee was defined in the Resolution adopted by the Conference as that of "making the best and fullest use of this information (i.e. the information contained in the reports) and of securing such additional data as may be provided for in the forms approved by the Governing Body and found desirable to supplement that already available". The Committee has to submit to the Governing Body a report which the Director of the International Labour Office, after consultation with the Governing Body, will annex to the summary of annual reports laid before the Conference in accordance with Article 408.

Bearing in mind the terms of reference which have just been mentioned, the Committee has endeavoured to confine its deliberations within the limits of the powers conferred upon it. Nevertheless, in the course of its discussions, the Committee has been led to recognise that the utilisation of the information contained in the reports rendered under Article 408 could be understood in a narrower or a wider sense, and that, in order to fulfil the intentions of the Governing Body and of the Conference in the direction of promoting the application of Conventions in the largest possible measure by the States which have ratified them, it might feel itself bound to make observations or to consider suggestions which might appear to go beyond the bounds of its jurisdiction. The Committee has therefore considered that, at this first meeting, when its endeavours to respond as completely as possible to the confidence placed in it by the Conference and the Governing Body could scarcely be a cause for reproach, it ought to place on record the state of mind in which it has worked, and thus to help, even though it may have erred, in fixing the limits of its mandate and the jurisprudence which the Governing Body wishes to see applied.

\* \* \*

The examination of the reports leads first of all to a general observation: namely, that while these documents emanate from States differing from each other not only in geographical position, but also in constitutional forms and in social and economic conditions, they have a common character of sincerity which strikes the reader. Those countries, few in number, the legislation of which still shows lacunae,

<sup>1</sup> The list of the members of the Committee is contained in the introduction to the summary of annual reports prepared by the International Labour Office (Report of the Director, Second Part, p. 260).

<sup>2</sup> The list of reports received and the dates on which they reached the Office will be found in Appendix I to this Report.

state the position frankly, giving at the same time the reasons for these lacunae and indicating the ways in which it is proposed to deal with this situation within a more or less short period. They thus manifest their desire to fulfil their obligations at the earliest possible moment. The Committee can only take note of this; the effort which they announce indicates their attitude towards the organisation and the protection of human labour.

Nevertheless, as will be stated later, in certain cases the information furnished has appeared to be too summary or otherwise insufficient, and the Committee has suggested that the Office should request the Governments to supply supplementary information in order that the Conference may have more complete information at its disposal.

It must also be noted that certain reports only arrived at the Office in time for the Committee to take cognisance of them at the last minute. The Committee would therefore express the hope that in the future the reports generally might be furnished by the States by the date fixed by the Office so that the Committee might be convened earlier than it has been possible to convene it this year, in order that, for example, the reports being received before the end of February, the Committee could begin its labours in the middle of March.

\* \* \*

It is not the duty of the Committee, which has examined all the reports received up to the time of its meeting, to give a complete summary of them here; the preparation of such a summary is the duty of the Director. The Committee therefore only refers to the reports in order to note the points upon which it has appeared to its members, on the basis of the information supplied or even of the declarations of the Governments, that the legislation was either not entirely in harmony with the text of some particular Convention, or was definitely insufficient; and it has suggested the manner in which, in its opinion, the Office might intervene in order to secure the full application of Conventions. The Committee has drafted this part of its report by Convention and

by country in such a way as to show the stage of progress reached in the application of each Convention. The States which are not mentioned in this report have furnished information which has not appeared to call for any observation on the part of the Committee; and the fact that no observations have been made upon their reports may be taken to be an indication that the Committee has considered that they have fulfilled the legislative obligations assumed by the ratification of the Conventions. The number of points upon which the Committee has made observations is in reality very small compared with the total number of questions which might have been raised by the application of the Conventions. Of 180 reports examined, 110 have given rise to no observations at all. Moreover, in the cases where observations have been made, it frequently occurs that they relate only to one of the points concerned with the application of a particular Convention, and that often a point of detail.

\* \* \*

1. *Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week.*

This Convention has been ratified at present by Austria, Belgium, Bulgaria, Chile, Czechoslovakia, Greece, India, Italy, Latvia and Rumania.

The ratifications of Austria, Italy and Latvia were conditional and have not yet come into force.

The ratification of Belgium was registered on 6 September 1926, and this country was consequently not under an obligation to furnish an annual report on this occasion.

Of the other countries which have ratified the Convention, Bulgaria, Chile, Czechoslovakia, Greece and India have duly rendered reports in the form prescribed by the Governing Body. Rumania has communicated certain information in a letter transmitting the reports upon other Conventions.

The examination of the reports relating to this Convention made by the Committee gives rise to the following observations:



*Bulgaria.* — The Government has not yet communicated to the Office the list of the processes classed as being necessarily continuous in character under Article 4 of the Convention, a list which is required by Article 7 (a). The Bulgarian Government might be asked to furnish this list.

*Chile.* — As the report of Chile was only received during the meeting of the Committee, it was not found possible to go further than a preliminary examination of the Chilean legislation. As a result of this examination, however, the Committee considers that attention should be drawn to § 13 of the Act of 8 September 1924, the provisions of which do not appear to correspond to those of the last paragraph of Article 6 of the Convention. This section provides that "the workers may agree to longer actual hours of work (than eight in the day and forty-eight in the week), subject to payment for overtime, provided that the actual hours of work shall not exceed ten in the day and shall be separated by a rest period of not less than ten hours between one working day and another". It would appear desirable that the Office should ask the Chilean Government for details of the practical working of these provisions.

*Greece.* — The Government of Greece, which ratified this Convention on 19 November 1920, stated in a letter of 18 February 1927, transmitting the annual reports to the Office, that it would be seen from these reports that some of the Conventions had not been applied as fully as could be desired, a fact attributable to the generally abnormal conditions prevailing in Greece in recent years. The letter further stated that the present Government would propose a series of measures designed to give fuller application to the Conventions ratified by Greece.

The situation in Greece with regard to the Hours Convention would appear to be as follows: The Convention, in Article 12, made special arrangements for the putting into effect of its provisions in Greece. The particular circumstances of this country were examined at the Washington Conference by the Committee on Special Countries, and it was recom-

mended that the date for bringing the provisions of the Convention into operation should be extended for two years in respect of one group of industries described as "industries ordinarily unhygienic and laborious", and for three years in respect of a second group of industries described as "ordinary industries". On the other hand, immediate application was contemplated in respect of a third group described as "industries very unhygienic and laborious", which consisted of the following (1) underground mining, (2) lead and arsenic metallurgy, (3) manufacture of explosives, (4) loading and unloading coal. These recommendations were embodied in Article 12, which fixed 1 July 1923 and 1 July 1924 respectively as the latest dates for bringing the Convention into operation for the two groups first mentioned; the enumeration of "industries very unhygienic and laborious" was, however, not inserted in Article 12, and it was thereby left understood that application should be immediate in all industries covered by the Convention, except in the two groups for which extensions were specifically provided.

As stated above, Greece ratified on 19 November 1920, and the Convention came into force for Greece on 13 June 1921. In accordance with Article 19 of the Convention, Greece was therefore under an obligation to bring the provisions of the Convention into operation not later than 1 July 1921 and to take such action as might be necessary to make those provisions effective. Stated concretely, Greece should have applied the eight-hour day and the forty-eight hour week to all industries covered by the Convention, except those enumerated in Article 12, not later than 1 July 1921.

Preliminary measures were taken by Greece, as stated in the annual report, by the ratifying Act No. 2269 of 1 July 1920, which provided that the provisions of the Convention should be incorporated in the existing laws by Royal Decree. Further, the Ministry of National Economy addressed a Circular No. 23 of 16 July 1920 to all competent authorities, explaining the purport of the ratifying Act and requesting that it should be made known to the employers' and workers' organisations. No further measures appear to have been taken before the war with

Turkey, as a result of which the application of the Convention was suspended under Article 14 of the Convention until one year after the signature of the Treaty of Lausanne, i.e. until 24 July 1924.

The annual report shows that, since this date, Decrees regulating hours of work have been issued in respect of the following industries and processes :

(1) Underground work in mines — an industry not included in the lists of industries in which application might be delayed ;

(2) Tanneries, printing works, tobacco factories, and paper-making — industries which appear on the list for which two years' delay was provided ;

(3) Confectionery and chocolate, leather goods and trunks, paper and printing industries (envelopes, record books, boxes, bags and bookbinding, lithography and zinc engraving), manufacture of lead shot and lead pipes, cement squares — industries included in the list for which three years' delay was provided.

The report further states that application was approved in 1925 by the Superior Labour Council in the case of the following undertakings, which are included in the lists of industries for which two and three years' delay respectively was provided :

(1) Carbon-bisulphide works, dye works, glass works (blowers), and gas works (firemen) ;

(2) Corn mills using rollers, slaughter houses and butcher shops, and generation and transmission of electricity.

Application in these cases was, however, postponed owing to the troubled conditions in Greece in 1926.

The standard of application in Greece is thus below the requirements of the Convention ; and the Office might be instructed to urge the speedy adoption of the legislation announced in the Government's letter of 18 February 1927.

*Rumania.* — The Committee notes that it results from the declarations of the Rumanian Government that the provisions of the Convention had not yet been definitely embodied in legislation, although they were applied on a large scale by collective agreements and other-

wise. The Committee is of opinion that it would be desirable to request the Rumanian Government to furnish a more detailed account of the extent to which the various provisions of the Convention are applied in practice and of its intentions with regard to complete application, more particularly by the preparation of legislation in harmony with the Convention.

*Czechoslovakia.* — The legislation examined does not appear to fix the rate of pay for overtime, which Article 6 of the Convention requires to be not less than one and one-quarter times the regular rate. It may further be observed that there is room for doubt whether the provisions relating to posting of notices in Article 8 can be considered to be sufficiently applied by the existing prescriptions of the Industrial Code, which only provide for the posting of workshop regulations in undertakings employing more than 20 workers. The Czechoslovak Government might be asked to furnish additional explanations on these points.

*General observations.* — The Committee is of opinion that Governments might be requested to furnish, in application of Article 7 of the Convention, more detailed information regarding the effective application of the various exceptions provided for in Articles 4, 5 and 6. Reference will be made in a later part of this report to the changes which might be made in the form for annual reports.

## 2. Convention concerning unemployment.

This Convention has been ratified unconditionally by the following countries : South Africa, Austria, Bulgaria, Denmark, Estonia, Finland, France, Germany, Great Britain, Greece, India, Irish Free State, Italy, Japan, Norway, Poland, Rumania, Kingdom of the Serbs, Croats and Slovenes, Spain, Sweden and Switzerland.

The Committee has examined the annual reports which have been furnished in the form prescribed by the Governing Body by all these Member States, with the exception of the Kingdom of the Serbs, Croats and Slovenes, the ratification of which was only registered on 1 April 1927.



The examination made by the Committee gives rise to the following observations :

*South Africa.* — It is noted that the employment exchanges seem to limit their operations to Europeans or “civilised labourers”. It would be useful to ask the South African Government for additional information regarding the meaning of the term “civilised labourers”, and the extent of the application of the Convention in this country.

*Bulgaria.* — The main observation to which the examination of the Bulgarian report gives rise is that no communication has been made to the Office in application of Article 1, and that it is not clear from the report whether the system of unemployment exchanges provided for by the Act of 12 April 1925 is actually working or not. On these points additional information might be requested.

*Spain.* — No formal communication has been made to the Office under Article 1. As regards Article 2, it may be noted that the 1925 report had stated that the results of the employment exchange system had not been very extensive, and that the report for 1926 states that the system is being reorganised. It is difficult in these circumstances to appreciate the extent to which the Convention is applied.

*Greece.* — In this case also no communication has been made to the Office under Article 1. As regards Article 2 the Committee has noted that it is difficult to form an opinion whether the employment exchange arrangements constitute an effective application of this Article. Exchanges have been established in Athens and Piræus; in other parts of the country it is the labour inspectors who have to function as employment agents. It would appear desirable to request further details of the work performed by the two exchanges and the inspectors.

*India.* — Some comment appears necessary on the position of India. When ratifying the Convention, the Government of India pointed out, in a despatch quoted in a letter from the Secretary

of State of 12 July 1921, that the unorganised state of Indian labour made it impossible to furnish returns under Article 1 of the kind expected in western countries, but that information of a general nature regarding wages and demand for labour, and regarding famine measures, could doubtless be given; that the creation of free public employment agencies had not hitherto been considered necessary owing to the absence of industrial unemployment, but that employment agencies might facilitate migration from congested areas to places where the demand for industrial labour was never fully met, and that there would be no objection to associating advisory bodies representative of employers and workers with such agencies; finally, that in cases of emergency an elaborate organisation for providing employment and relief existed in virtue of the Famine Codes.

For a time regular reports on the number of persons assisted under the famine relief schemes were supplied, but these reports were discontinued in the absence of famine or scarcity in the technical sense, although information relating to the labour market continued to be received in the publications of the Government of India. The Office was also informed later that the Government had decided that the establishment of employment agencies was unnecessary in view of the absence of industrial unemployment and of the fact that the Provincial Famine Codes adequately met the case of agricultural unemployment. An employment bureau was, however, created in Madras to secure employment for members of the depressed classes and South African repatriates.

The Committee notes that the Government of India appears to have interpreted the Convention as only involving an obligation to create employment exchanges to the extent to which circumstances may render them necessary. Nevertheless, the Office might be instructed to enquire whether the development of industry in India in the last few years may not have modified somewhat the situation which led the Government of India to decide the question of the creation of employment exchanges negatively.

*Italy.* — The Committee has noted that the system of employment exchanges set

up by the Deerees of 1918 and 1919 would appear to have been practically abolished by the Decree of 1923. On the other hand, the 1926 report states (1) that the complete reform of the system is now being considered in order to bring it into harmony with the new organisation of associations created by the Act of 3 April 1926, the Regulations issued on 1 July 1926 in application of which provide in § 44 for the setting up of employment exchanges by the central co-ordinating bodies, and (2) that a benevolent institution with legal personality called the *Patronato Nazionale* was actively engaged in finding employment for workers in 1926. Without further information as to the details of the system of finding employment which existed in Italy in 1926, it is difficult to form an estimate of the manner in which the Convention was applied.

*Rumania.* — No communication has been made to the Office under Article 1. According to the report of the Rumanian Government, it would appear that, although employment exchanges have been operating since 1922, no unemployment crisis of importance has been experienced in Rumania. The Committee nevertheless considers that the Rumanian Government might be requested to furnish information regarding the results of the working of the exchanges.

*General observations.* — Article 1. Whilst the Office receives, in one form or another, a great deal of information relating to unemployment, very few States have considered that Article 1 imposes an obligation to make formal communications. In this matter the Office has already approached the Governments of countries which have ratified the Convention and has requested them to consider the possibility of bringing all relevant information specifically to its notice in the form of quarterly statements.

The Committee would also desire to bring to the notice of the Governing Body the fact that the last paragraph of Article 2, which provides that "the operations of the various national systems shall be co-ordinated by the International Labour Office in agreement with the countries concerned", would appear to have been applied only to a very limited extent.

### 3. *Convention concerning the employment of women before and after childbirth.*

This Convention has been ratified by Bulgaria, Chile, Greece, Latvia, Rumania, the Kingdom of the Serbs, Croats and Slovenes, and Spain.

Of these States Members, Bulgaria, Chile, Greece and Spain have furnished annual reports in the form prescribed by the Governing Body.

The ratification of Latvia and of the Kingdom of the Serbs, Croats and Slovenes having been registered on 3 June 1926 and 1 April 1927 respectively, no reports were due from these States.

Rumania has furnished certain information in a communication transmitting annual reports on the application of other Conventions.

The examination of the reports has led the Committee to make the following observations :

*Bulgaria.* — The Committee notes that the provisions of § 21 of the Bulgarian Social Insurance Act, which correspond to Article 3(a) and (b) of the Convention, define the period of confinement as "a period of not more than twelve weeks, not less than one nor more than six of which precede the confinement, and not less than one nor more than six of which follow it." From this text it would appear that the Convention may not be observed, and the Bulgarian Government might be requested to explain the manner in which this provision is applied in practice.

*Chile.* — From the very summary examination which the Committee has been able to make of Chilean legislation, it would appear (1) that, although the Act of 8 September 1924 relating to the contract of employment provides in § 33 that "during pregnancy women workers shall have the right to forty days' rest before and twenty days' rest after confinement", application is limited by § 1 of the Legislative Decree of 6 April 1925 to factories, workshops and industrial and commercial undertakings employing twenty women workers or more ; (2) that the periods during which the woman worker in Chile has the right to absent herself from her work (forty days before and twenty days after confinement) do not correspond entirely



to Article 3 (a) and (b) of the Convention. It would seem desirable that the Office should point out these divergences to the Chilean Government.

*Spain.* — It may be noted that the report for 1925 described the existing system of maternity benefit — the granting out of public funds of a lump sum of 50 pesetas to cover costs of maintenance and medical attendance to women whose annual earnings do not exceed 4,000 pesetas — as provisional only, until such time as a maternity insurance system had been set up. It was also stated that steps to set up such a system were being taken. No reference is made to this matter in the 1926 report. The Office might therefore enquire of the Spanish Government whether preparations for the institution of maternity insurance are being continued.

*Greece.* — No Decrees appear to have been issued in application of the 1920 Act, which provided in § 3 that the provisions of the Convention should be incorporated by Royal Decree in the existing laws. The Government stated in a letter of 18 February 1927 that some of the Conventions were not applied to the extent desirable. This observation would seem to apply to the present Convention and to the other Conventions relating to the employment of women and children. By analogy with the procedure followed in the case of the Hours Convention, it seems that Decrees of application or other special measures are necessary to give effect to these Conventions. If that is so, and as no such Decrees have been promulgated, it may be assumed that the subject-matter of the Conventions in question is only covered in Greece by the Act of 1912 respecting the work of women and minors, the provisions of which do not entirely correspond to those of the Conventions. As the Government has announced its intention to propose legislation to give fuller effect to these Conventions, it may be suggested that the Office should keep in touch with the Government and urge the rapid passage of this legislation.

*Rumania.* — The Government of Rumania has not submitted a formal report upon this Convention nor upon any of the Conventions relating to the protection of women and children. In a communication dated 17 March 1927, the Government

states that the provisions of these Conventions have been taken into account in drafting a Bill respecting the employment of minors and women which is being examined by the Superior Labour Council and which will shortly be submitted to Parliament. In this case also it would appear that the Office should approach the Rumanian Government and represent the urgency of passing legislation in conformity with these Conventions.

#### 4. *Convention concerning employment of women during the night.*

This Convention has been ratified by the following Members : South Africa, Austria, Belgium, Bulgaria, Czechoslovakia, Estonia, France, Great Britain, Greece, India, Irish Free State, Italy, the Netherlands, Rumania, the Kingdom of the Serbs, Croats and Slovenes, and Switzerland.

As the ratification of the Kingdom of the Serbs, Croats and Slovenes was registered on 1 April 1927, no report was due from this country.

With the exception of France, whose report had not yet reached the Office, and Rumania, which had furnished certain information in a communication transmitting the annual reports on other Conventions, the States Members mentioned above have presented annual reports in the form prescribed by the Governing Body.

The examination of the reports on this Convention give rise to very few observations by the Committee :

*South Africa.* — The Committee has noted the declaration of the South African Government that the effect of the operation of the Industrial Conciliation Act and of the Wage Act will be progressively to extend the protection of the Convention to women not covered by the Factories Act, which only applies to undertakings employing three or more persons. The hope may be expressed that the Government will find it possible to remedy the deficiency, however small, which exists in the provision for the maximum application of the Convention in the near future.

*Greece.* — See observations on the Convention concerning the employment of women before and after childbirth.

*Rumania.* — See observations on the Convention concerning the employment of women before and after childbirth.

5. *Convention fixing the minimum age for admission of children to industrial employment.*

This Convention has been ratified by the following Members : Belgium, Bulgaria, Chile, Czechoslovakia, Denmark, Estonia, Great Britain, Greece, Irish Free State, Japan, Latvia, Poland, Rumania, Kingdom of the Serbs, Croats and Slovenes, and Switzerland.

The ratifications of Japan, Latvia and the Kingdom of the Serbs, Croats and Slovenes were registered on 7 August 1926, 3 June 1926 and 1 April 1927 respectively and reports were therefore not due from these countries.

The other Members above mentioned have submitted annual reports in the form prescribed by the Governing Body, with the exception of Rumania, which has furnished certain information in a communication transmitting the reports on other Conventions.

The few observations which the Committee feels called upon to make as a result of the examination of these reports are as follows :

*Chile.* — § 29 of the Act of 8 September 1924, which is cited in the report of the Chilean Government, contains the following provisions : " Children under the age of fourteen years, whether boys or girls, shall not be employed on any kind of work, even in the capacity of apprentice. Nevertheless, children under fourteen, but over twelve years of age, who have completed their compulsory school attendance, may be employed on certain kinds of work specified in the regulations. " As, however, the report does not refer to the regulations in question, the Committee has not been able to form an idea of the scope of the exception for children of twelve years of age. The Office might therefore enquire regarding the conditions of application of these paragraphs of § 29 of the Chilean Act.

*Estonia.* — The report does not state whether the rules and conditions of employment in trade schools which, under § 3 of the Act of 20 May 1924, were to be

drawn up by the Minister of Education in agreement with the Minister of Labour and Social Welfare, have actually been issued. Enquiry might be made of the Government on this matter.

*Greece.* — See observations on the Convention concerning the employment of women before and after childbirth.

*Rumania.* — See observations on the Convention concerning the employment of women before and after childbirth.

*Czechoslovakia.* — The Committee notes that the report does not clearly indicate the measures taken for the application of Article 4 (register of persons under sixteen years of age employed). The only legislative reference found relates to the keeping of registers of children under fourteen years of age where their employment is permitted under the Act of 17 July 1919. The Government might be asked to furnish information on this point.

6. *Convention concerning the night work of young persons employed in industry.*

This Convention has been ratified by Austria, Belgium, Bulgaria, Chile, Denmark, Estonia, France, Great Britain, Greece, India, Irish Free State, Italy, Latvia, the Netherlands, Poland, Rumania, the Kingdom of the Serbs, Croats and Slovenes, and Switzerland.

The ratifications of Latvia and the Kingdom of the Serbs, Croats and Slovenes were registered on 3 June 1926 and 1 April 1927 respectively, and therefore no reports were due from these States.

The Government of Rumania has furnished similar information regarding this Convention as in the case of the other Conventions concerning the employment of women and children.

The report of France had not yet been received by the Office.

All the other Members have furnished annual reports in the form prescribed by the Governing Body.

The only observations to which the examination of the reports has given rise are as follows :

*Chile.* — The report declares that the Convention is applied under § 30 of the



Act of 8 September 1924. This Section prohibits the night work of young persons under the age of sixteen years, irrespective of sex, and adds that "young persons over sixteen but under eighteen years of age shall not be employed on night work in the occupations specified by the regulations as dangerous to the physical development or morals of such young persons." It should also be noted that the Act does not stipulate that the night period must be of at least eleven consecutive hours. In this case also, the report does not state whether the regulations in application of these provisions of the Act have yet been issued, and the Office might be instructed to enquire of the Chilean Government the exact conditions under which the Convention is applied.

*Greece.* — See the observations on the Convention concerning the employment of women before and after childbirth.

*Rumania.* — See the observations on the Convention concerning the employment of women before and after childbirth.

7. *Convention fixing the minimum age for admission of children to employment at sea.*

This Convention has been ratified by the following Members: Belgium, Bulgaria, Canada, Denmark, Estonia, Finland, Great Britain, Greece, Irish Free State, Japan, Latvia, the Netherlands, Poland, Rumania, the Kingdom of the Serbs, Croats and Slovenes, Spain and Sweden.

The ratifications of Canada, Latvia and the Kingdom of the Serbs, Croats and Slovenes were registered on 31 March 1926, 3 June 1926 and 1 April 1927 respectively, and therefore reports were not due from these countries.

With the exception of Rumania, which in this case also has furnished certain information in a communication of 17 March 1927, all the other States have presented annual reports in the form prescribed by the Governing Body.

These reports give rise to the following observations on the part of the Committee:

*Belgium.* — It may be noted that the report states that the Convention is applied in practice, although legislation to implement it has not yet been adopted. Such legislation is, however, before Parliament.

*Denmark.* — Without further particulars of the working of the machinery for the engagement and discharge of crews under the Act of 26 February 1872 mentioned in the report, it is difficult to judge whether these provisions constitute an adequate application of Article 4 of the Convention (register or list of persons under sixteen years of age employed on board, and of the dates of their births). Further details might be requested.

*Greece.* — See the observations on the Convention concerning the employment of women before and after childbirth.

*Rumania.* — See the observations on the Convention concerning the employment of women before and after childbirth.

*General observations.* — Two questions may be mentioned in connection with Article 1. The Japanese Imperial Ordinance of 19 November 1923 exempts seamen engaged on vessels of less than 30 tons gross, or on vessels with a capacity of less than 300 *koku*, from the minimum age provisions of the Act of 29 March 1923. The Spanish Labour Code refers only to "merchant vessels". It may be questioned whether the Convention is observed in these cases.

The second question is connected with the first in this sense that the information furnished as to the meaning given to the term "vessel" is insufficient to enable the Committee to decide whether the national legislation applies to "all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned," excluding ships of war, as the Convention requires. This is no doubt a matter to be considered in relation to the question of revising the forms for annual reports.

8. *Convention concerning unemployment indemnity in case of loss or foundering of the ship.*

This Convention has been ratified by Belgium, Bulgaria, Canada, Estonia, Great Britain, Greece, Italy, Latvia, Poland and Spain.

The ratifications of Canada, Great Britain and Latvia were registered on 31 March 1926, 12 March 1926 and 5 August 1926 respectively, and therefore reports were not yet due from these States.

The other Members mentioned have furnished reports in the form prescribed by the Governing Body.

The observations which the Committee wishes to make upon these reports are as follows :

*Belgium.* — The terms of the Convention have not yet been embodied in legislation, although a Bill containing its provisions is before Parliament. The report states, however, that the Convention is applied in practice.

*Bulgaria.* — It is not possible from the report or the legislation therein mentioned to say whether provisions corresponding to those of Article 3 of the Convention are in force. Information on this point might be requested.

*Estonia.* — The report states that a Committee appointed in connection with the Ministry of Justice has been instructed to draft a Maritime Code containing, *inter alia*, provisions to give effect to this Convention. The Office might be requested to urge upon the Government the desirability of passing this legislation as soon as possible.

*Greece.* — Provisions for the application of this Convention are contained in the Legislative Decree of 7 October 1925 authorising ratification. It is noted, however, that, if the translation is correct, § 2 only makes the obligation to pay the indemnity provided for in Article 2 of the Convention binding upon owners of sailing vessels if the said owners receive insurance compensation in respect of the loss or foundering of the vessel. As this restriction would not seem to be in accordance with the Convention, the Office has informed the Committee that there may be some doubt whether this is an accurate interpretation of the Greek text. It would therefore be desirable to address an enquiry to the Greek Government on this point.

*Italy.* — The Committee notes that the report of the Italian Government refers, on the one hand, to the Royal Decree No.

2544 of 27 December 1925, making the Convention itself of legal effect throughout the Kingdom, and, on the other hand, to several measures relating to the principles laid down in the Convention : (a) § 39 of the Legislative Decree of 26 October 1919 respecting the institution of an invalidity fund for seamen, which provides for the insurance of kit against shipwreck or other disaster overtaking the ship during a voyage, and for relief to make up, with the insurance, the actual value of the kit in the case of lower ratings of Italian nationality ; (b) the Royal Decree of 30 December 1923 under which seamen are entitled to the same unemployment relief as other unemployed workers ; (c) the rules for articles of agreement now in force, which prescribe the right of the seaman to repatriation and the payment of wages and board from the time of the wreck of the ship to the day of arrival in the port of embarkation.

As it is very difficult from these provisions to obtain a clear conception of the application of the Convention, it would appear desirable that the Italian Government should be requested to furnish supplementary information.

*Poland.* — The mercantile marine of this country is not considerable and the circumstances dealt with in the Convention have not yet arisen. The Government has not, therefore, considered it urgent to pass special legislation to provide for the possibility of applying the Convention ; any cases which might arise would be dealt with by the ordinary unemployment funds. Nevertheless, legislative measures have been prepared, which the Polish Government might be urged to pass as soon as possible.

*General observations.* — The remarks made regarding the absence in certain cases of definitions of the terms “ vessel ” in the legislation cited in the reports on the Convention fixing the minimum age for admission of children to employment at sea apply also, though to a lesser degree, in this case. It would be desirable, in the form for annual reports, to make it clear that information on these points is desired.



9. *Convention for establishing facilities for finding employment for seamen.*

This Convention has been ratified by Australia, Belgium, Bulgaria, Estonia, Finland, Germany, Greece, Italy, Japan, Latvia, Norway, Poland and Sweden.

All these States, with the exception of Latvia, the ratification of which was registered on 3 June 1926 and from which a report was therefore not yet due, have presented annual reports in the form prescribed by the Governing Body.

The examination of these reports gives rise to the following observations:

*Australia.* — A question of interpretation of some importance is raised by the method adopted by Australia for the application of this Convention. In this country the provision of facilities for finding employment for seamen has been made by the State itself through the agency of Inspectors of Seamen established at the three principal ports. These inspectors are attached to the Mercantile Marine Offices, and the operations of the inspectors as employment agents take place at seamen's shelters in the vicinity of these offices. No provision for the Committees contemplated by Article 5 of the Convention has been made, and it is here that the question of interpretation arises. The words of the report on this point are as follows:

"No provision has been made by the Commonwealth Government for the appointment of Committees of the character mentioned in Article 5 of the Convention. Such Committees, it has been assumed, are necessary only where the employment agencies are not maintained by the State, but by representative associations of ship-owners and seamen under the control of a central authority, as provided for in Article 4 of the Convention."

It may further be noted that no regular communications are made to the Office by Australia under Article 10.

The Committee can only note that the interpretation of Article 5 given by the Commonwealth Government does not agree with that followed by all the other Governments which have ratified the Convention. On the application of Article 10 the Office should communicate with the Government of Australia.

*Belgium.* — The Government states that, although the Convention is applied in practice, full legislative sanction depends upon the passage of the Bill now before Parliament.

*Bulgaria.* — In this case as in that of the Unemployment Convention, it is not clear from the report to what extent the employment exchange service is already in operation in Bulgaria. It would in any case appear that the Committees contemplated by Article 5, and the facilities for foreign seamen provided for in Article 8, have not yet been established. Nor has information under Article 10 been supplied. Enquiry might therefore be made of the Bulgarian Government as to the stage reached in the application to seamen of the Act of 12 April 1925.

*Finland.* — Legislative provision for the constitution of joint committees under Article 5 was made in the Act of 27 March 1926, which came into force on 1 January 1927. The Office should request the Government to keep it informed of the progress of application in this respect.

*Japan.* — The Act of 11 April 1922 appears to limit the meaning of the term "vessel" to vessels sailing beyond the limits of coasting trade, although powers are given to extend the meaning by Imperial Ordinance. The Office might approach the Japanese Government with a view to ascertaining whether such extension is contemplated, as it would carry out more fully the intentions of the Convention.

*Norway.* — The work of finding employment for seamen in Norway is carried on by special sections of the ordinary employment exchanges in the more important ports, otherwise by the ordinary exchanges themselves. The legislation under which these exchanges were set up, the Act of 1906, makes no provision for the prohibition of fee-charging agencies as required by Article 2 of the Convention. Under an earlier Act of 12 June 1896 fee-charging agencies must be licensed by the municipalities. The report for 1925 stated that five licences had been withdrawn and the report for 1926 states that no new licences were granted during

that year. Nevertheless, no measures for the abolition of the finding of employment for seamen as a commercial enterprise for pecuniary gain have been taken. It would appear that on this matter the Office should endeavour to ascertain the intentions of the Norwegian Government.

*Sweden.* — There is some doubt as to the nature of the measures taken for the application of Article 5. It is stated in the reports that representatives of ship-owners and seamen have been appointed in twenty ports and are called upon to deal with important questions concerning the work of finding employment for seamen. Further particulars as to the nature of these arrangements would be desirable.

*General observations.* — This is one of the Conventions which best exemplify the need for revising the forms for annual reports. In the absence of specific reference in the forms to the provisions of Articles 1, 6, 7 and 10, few of the Governments have given information regarding the measures taken to give effect to these Articles. In a number of cases not referred to above under the names of countries, there is uncertainty as to the degree to which application of these Articles has been realised.

10. *Convention concerning the age for admission of children to employment in agriculture.*

This Convention has been ratified by Austria, Bulgaria, Czechoslovakia, Estonia, Hungary, Irish Free State, Italy, Japan, Poland and Sweden.

The ratification of Hungary was registered on 2 February 1927 and a report was therefore not due from this State.

With the exception of the Irish Free State, whose report on the Convention had not yet reached the Office, the Committee noted that all the other Members mentioned had presented reports in the form prescribed by the Governing Body.

The examination of these reports has not given rise to any observations.

11. *Convention concerning the rights of association and combination of agricultural workers.*

This Convention has been ratified by Austria, Belgium, Bulgaria, Chile, Czechoslovakia, Estonia, Finland, Germany, Great Britain, India, Irish Free State, Italy, Latvia, the Netherlands, Poland and Sweden.

The ratifications of Belgium and the Netherlands were registered on 19 July 1926 and 20 August 1926 respectively, and no reports were therefore due from these countries.

All the other Members concerned have presented annual reports in the form prescribed by the Governing Body.

The examination of these reports has not given rise to any observations.

12. *Convention concerning workmen's compensation in agriculture.*

This Convention has been ratified by Bulgaria, Chile, Denmark, Estonia, Germany, Great Britain, Irish Free State, the Netherlands, Poland and Sweden.

The ratification of the Netherlands was registered on 20 August 1926, and therefore no report was due from this country.

All the other countries concerned have presented annual reports in the form prescribed by the Governing Body.

The examination of these reports has not given rise to any observations.

13. *Convention concerning the use of white lead in painting.*

This Convention has been ratified by Austria, Belgium, Bulgaria, Chile, Czechoslovakia, Estonia, France, Greece, Latvia, Poland, Rumania, Spain and Sweden.

The ratifications of Belgium, France and Greece were registered on 19 July 1926, 19 February 1926 and 22 December 1926 respectively, and reports were therefore not yet due from these States.

No report had reached the Office from the Government of Chile.

The reports from the other States mentioned were presented in the form prescribed by the Governing Body.



The examination of these reports has led the Committee to make the following observations :

*Austria.* — The report for 1925 stated that Austria did not possess the statistics required by Article 7, but that the Ministry of Social Administration intended to issue an Order making notification of cases of lead poisoning compulsory. The 1926 report makes no reference to this matter. The Office might be asked to enquire whether such an Order has been issued or is to be issued.

*Bulgaria.* — The Government states that the Convention is only applied within the limits of the Health and Safety of Workers Act of 1917. A Bill to give complete effect to the Convention has been prepared and will be passed before the expiry of the period referred to in Article 4, i.e. 20 November 1927.

*Estonia.* — Legislation to give effect to the Convention has not yet been passed. A Bill has been brought before the Council of Ministers, but has not yet been voted by the State Assembly.

*Latvia.* — Legislation to give effect to the Convention has not yet been passed. A Bill containing the provisions of the Convention has been drafted. In these two cases the Office should urge adoption of the proposed legislation within the time limit of Article 4.

*Poland.* — The regulations in force are not uniform or fully in agreement with the Convention throughout the territories of the Republic. The report states, however, that an Order of the President of the Republic will shortly be issued to make provision for uniform application.

*Rumania.* — Legislation has not been adopted, and it is stated that white lead has been replaced in most painting work by zinc white. Nevertheless, the question is being studied with a view to legislation. The Office should point out the desirability of legislation, whatever may be the situation in practice.

*Sweden.* — The Act of 19 February 1926 raises questions of interpretation of some importance. It provides in § 1 that it

applies to all painting work which is not exempted from the application of the Act of 29 June 1912. This Act, however, does not apply to (a) work in the labourer's dwelling or elsewhere under such conditions that it cannot be considered as the employer's responsibility to supervise the arrangements for such work; (b) work undertaken by a member of the employer's own family; (c) work done by sailors or in connection with nautical service, whether the work is done on board ship or otherwise. It would appear to be very doubtful whether these exceptions are permissible under a strict interpretation of the Convention, and the Office should be invited to study the question and communicate with the Swedish Government on the matter.

*Czechoslovakia.* — The Act of 12 June 1924 makes provision in § 2 for two exceptions which are not mentioned in Article 1 of the Convention. The first of these exceptions is for "painting in places where the paint is much exposed to the effects of steam or other vapours", and is stated in the report to have been inserted "in view of its practical necessity and of the analogy which it presents with external painting". It is not, however, apparently subject to the same procedure of certification by the competent industrial inspection office, after consultation with the organisations of employers and workers, as the use of white lead in painting work on railway stations, in vehicle works and other industrial undertakings, under § 2 (b). The second exception is for "work in the application of the first coat in cases of mere touching-up of old white paint containing lead". These are questions which the Office should study, and should form the subject of communications with the Czechoslovak Government. The Office should also enquire whether the regulations for the compilation of statistics of lead poisoning referred to in § 10 of the Act have been issued.

#### 14. *Convention concerning the application of the weekly rest in industrial undertakings.*

This Convention has been ratified by Belgium, Bulgaria, Chile, Czechoslovakia, Estonia, Finland, France, India, Italy,

Latvia, Poland, Rumania, the Kingdom of the Serbs, Croats and Slovenes, and Spain.

The ratifications of Belgium, France and the Kingdom of the Serbs, Croats and Slovenes were registered on 19 July 1926, 3 September 1926 and 1 April 1927 respectively, and reports were therefore not due from these States.

All the other Members mentioned have furnished annual reports in the form prescribed by the Governing Body.

The examination of these reports has led the Committee to make the following observations :

*India.* — Article 1 of the Convention makes the definition of " industrial undertaking " subject to the special national exceptions allowed by the Hours Convention in so far as they are applicable. In the case of India, Article 10 of the Hours Convention provides, *inter alia*, that the limitation of hours prescribed shall be adopted for all workers " in such branches of railway work as shall be specified for this purpose by the competent authority ". The report of the Government of India on the Weekly Rest Convention makes no reference to railways, although they are covered by the Convention and are referred to in Article 10 of the Hours Convention as quoted. The Office might enquire of the Government of India whether measures have been taken to regulate the weekly rest of railway servants.

*Rumania.* — The report and the legislation cited do not show whether provision exists for the application of Article 7 (posting of notices). Enquiries should be made.

*Czechoslovakia.* — As already noted in regard to the Hours Convention, the provisions relating to posting of notices (Article 7 of this Convention) do not appear to be completely covered by the Industrial Code, which only provides for the posting of workshop regulations in undertakings employing more than 20 workers. Enquiries should be made with a view to clearing up this point.

*General observations.* — The information supplied under Article 6 of the Convention loses much of its documentary value through the absence of a uniform

method of presentation. The question of prescribing a form for rendering reports under Article 6 might be considered in connection with the revision of the forms for annual reports.

15. *Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers.*

This Convention has been ratified by Belgium, Bulgaria, Canada, Denmark, Estonia, Finland, Great Britain, India, Italy, Latvia, Poland, Rumania, the Kingdom of the Serbs, Croats and Slovenes, Spain and Sweden.

The ratifications of Belgium, Canada, Great Britain, and the Kingdom of the Serbs, Croats and Slovenes were registered on 19 July 1926, 31 March 1926, 8 March 1926 and 1 April 1927 respectively, and reports were therefore not due from these States.

Annual reports from all the other Members concerned, with the exception of Rumania, which communicated certain information in transmitting reports on other Conventions, were furnished in the form prescribed by the Governing Body.

The examination of these reports gives rise to the following observations :

*Denmark.* — The observation already made in regard to Article 4 of the Convention fixing the minimum age for admission of children to employment at sea applies to this Convention also. In order to ascertain whether Article 5 is applied, more information is needed regarding the practical application of the Act of 26 February 1872 relating to the engagement and discharge of crews.

*India.* — The report states that the Convention is applied in virtue of instructions given to shipping masters. The Office should request to be informed by the Government of India whether the amendment of the Merchant Shipping Act in order to make legislative provision for the application of the Convention is being proceeded with.

*Latvia.* — A Bill to give effect to this Convention has been drafted, but not yet passed. The Office should intervene to secure the early adoption of this Bill.



*Rumania.* — See the observations on the Convention concerning the employment of women before and after childbirth.

*Sweden.* — The Swedish Act of 27 February 1925 contains a restriction of the field of application of the provisions of the law relating to the subject matter of this Convention, which is not based upon a provision of the Convention itself. Under this Act "Young persons under eighteen years of age shall not be employed as stokers or trimmers on a vessel which is propelled mainly by steam, when the vessel is used for navigation outside Swedish waters elsewhere than in Oresund or in Oslo Fjord as far as Laurvig." The same Act gives powers to the Crown to allow exceptions in special cases, without further defining these terms. The Committee can only note that this restriction in the legislation does not seem to be in agreement with the text of the Convention.

*General observations.* — In the case of this Convention also, the reports generally fail to afford information upon certain Articles, particularly Articles 1 and 6. This difficulty should be met by the revision of the forms for annual reports.

16. *Convention concerning the compulsory medical examination of children and young persons employed at sea.*

This Convention has been ratified by Belgium, Bulgaria, Canada, Estonia, Finland, Great Britain, India, Italy, Japan, Latvia, Poland, Rumania, the Kingdom of the Serbs, Croats and Slovenes, Spain and Sweden.

The ratifications of Belgium, Canada, Great Britain, and the Kingdom of the Serbs, Croats and Slovenes were registered on 19 July 1926, 31 March 1926, 8 March 1926 and 1 April 1927 respectively, and therefore no reports were due from these States.

Annual reports from all the other States Members concerned, with the exception of Rumania, which communicated certain information in transmitting reports on other Conventions, were presented in the form prescribed by the Governing Body.

The examination of these reports gives rise to the following observations :

*Finland.* — The legislation does not show whether the medical examination required by § 10 of the Act of 8 March 1924 must be carried out by a doctor approved by the competent authority (Article 2). Enquiries should be made on this point.

*India.* — The report states that pending the adoption of an amendment to the Merchant Shipping Act, the Convention has been applied by special instructions to medical officers. The Office should refer to this point when communicating with the Government of India, as recommended in connection with the Convention fixing the minimum age for admission of young persons to employment as trimmers or stokers.

*Italy.* — It is not clear that the medical examination required must be carried out by a doctor approved by the competent authority (Article 2). Information should be requested.

*Japan.* — In regard to this Convention also Japanese legislation has limited the meaning of the term "vessel" for the purposes of the Convention by the exclusion of vessels of less than 20 tons gross or vessels with a capacity of less than 200 *koku*. See the observations on the Convention fixing the minimum age for the admission of children to employment at sea.

*Latvia.* — At present the report states that the Convention is enforced in virtue of an Administrative Decree, but a Bill to secure application has been drafted. The Office should urge the adoption of this Bill.

*Rumania.* — See the observations on the Convention concerning the employment of women before and after childbirth.

*Sweden.* — The Royal Order of 22 May 1925 under which the Convention is applied has made restrictions in the field of application similar to those mentioned under the Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers, and the same observations apply. It may also be noted that it is not specified that the medical certificate must be delivered

by a doctor approved by the competent authority.

\* \* \*

This report might terminate here, and the Committee might consider its task, on a narrow construction of its terms of reference, as having been performed. Nevertheless, as has already been said above, the Committee feels that it should not limit itself, at all events in this first account of its discussions, to a series of negative observations, but should submit to the Governing Body, which is alone competent to judge of their expediency and of the use which may be made of them in connection with the Conference, a number of special observations which will no doubt be recognised to be of a nature to ensure the rapid application of Conventions. It is the purpose of Article 408 to facilitate a kind of mutual verification by the States. This verification, although of a friendly character and based upon findings of a technical order, and although it is quite distinct from the machinery, in certain respects judicial, set up by Articles 409 and following, is none the less an effective means of estimating the efforts made by each State with a view to application. It is therefore obviously desirable that the reports furnished by the States in accordance with Article 408 should form a solid basis for this mutual verification.

(1) Following this train of thought, it may be considered whether it would not be expedient to request each country to include in its report, at the same time as the observations of a general character asked for in the existing forms of report, such relevant details as would make it possible to appreciate the extent to which the legislative measures corresponding to the provisions of a given Convention are effectively applied. It might be possible for example to invite each State to furnish such information regarding the detailed application of legislative or administrative measures as is usually contained, in the case of the majority of industrial countries, in the regular reports of the industrial inspection services (e.g. information concerning the number of factory inspectors, and as far as possible the number of workers covered by the relevant legislation, the number and nature of contraventions reported, etc.).

(2) As regards the application of Conventions to colonies, it may be noted that the information contained in the reports is very incomplete. Although some States declare that they apply the provisions of Conventions, at all events partially, in their colonial possessions, other States simply state that the Conventions are not applicable to the colonies, without giving any complementary explanations. It is of course obvious that in practice certain Conventions can have no purpose in certain colonies, protectorates or mandated territories, or raise great practical difficulties. There are, however, other Conventions, such as those relating to the protection of labour of women and children which have a very wide bearing, and which, it would appear, might be applied even in colonial areas. Moreover, even when application appears to be impossible, it would be of value if the Governments would make known the special conditions which present insurmountable obstacles to application. These suggestions appear to the Committee to be in accordance with Article 421 of the Treaty of Versailles.

(3) Some remarks were made by the members of the Committee regarding the circumstances in which some ratifications are deposited, circumstances which have a repercussion on the application of the Conventions concerned and consequently upon the reports presented under Article 408. It was pointed out that various countries have ratified Conventions although their national legislation did not at the time contain either laws or regulations which would make immediate application possible, with the result that the reports of these States still show delays and lacunae which the Committee has been obliged to bring to notice. The Committee is of opinion that such ratifications are nevertheless of very great value, because they signify the formal adherence of the States concerned to the principles of the ratified Conventions and the legal obligation to create as soon as possible legislation in conformity with these Conventions; they are thus a sure method of securing the progress of labour legislation. But they have the disadvantage of placing the countries which ratify under such circumstances in a state of non-observance of the Convention concerned which is sometimes prolonged, and it may be necessary to remind such States of the obligations which they have contracted.



It may be questioned whether it would not have been more expedient that such States, in depositing their ratifications, should have stated, in the instruments of ratification themselves, that their ratifications would only take effect on the expiry of a specified period.

It may also be considered whether, in the future, it would not be better that the Conference should make fuller application of the third paragraph of Article 405 of the Treaty, and provide for extended time-limits for application and for progressive stages of application where this is justified by the special circumstances of some countries.

Finally, it might be desirable to remind Governments generally that the same paragraph makes it possible for them, when the drafting of Conventions is under discussion, to draw attention to the special conditions of their countries, and that these conditions may enable them, in certain cases, to obtain the insertion in Conventions of special clauses of the kind inserted in the Hours Convention to meet the special cases of India and Japan.

Such a method might be of great assistance in facilitating the ratification of Conventions and their effective application.

\* \* \*

It has also appeared necessary to the Committee to submit some observations on the modifications which might be made in the forms for annual reports, in order to obtain greater precision in the reports and a more solid basis for the conclusions which the Committee may be called upon to frame.

These observations will be found in Appendix II to this Report.

\* \* \*

The Committee is fully aware that the work which it has accomplished is incomplete. It has been its endeavour to reduce it to the strict minimum. As its last word, the Committee would say that the conclusion which it must draw from its study of the reports is that, in spite of the criticisms which it has been compelled to make in a small number of cases, the application of the ratified Conventions appears to it to be proceeding generally in a satisfactory manner and that thus the work of the International Labour Organisation is progressively tending to produce results.

(Signed) PAUL TSCHOFFEN,  
Chairman.

(Signed) JULES GAUTIER,  
Reporter.

Geneva, 7 May 1927.

## APPENDIX I.

*List of reports examined by the Committee.*

Convention	COUNTRY	Date of reception of report by the Office	Convention	COUNTRY	Date of reception of report by the Office.
Hours	Bulgaria.....	19.3.1927	Night work of young persons employed in industry	Austria .....	11.3.1927
	Chile.....	3.5.1927		Belgium .....	22.1.1927
	Czechoslovakia .	28.2.1927		Bulgaria .....	19.3.1927
	Greece.....	26.2.1927		Chile .....	3.5.1927
	India .....	24.2.1927		Denmark .....	17.2.1927
	Rumania .....	21.3.1927		Estonia .....	7.2.1927
Unemployment				France .....	<sup>1</sup> 7.5.1927
	South Africa ...	2.3.1927		Great Britain ...	11.2.1927
	Austria .....	11.3.1927		Greece .....	26.2.1927
	Bulgaria.....	19.3.1927		India .....	24.2.1927
	Denmark .....	17.2.1927		Irish Free State .	5.4.1927
	Estonia .....	7.2.1927		Italy.....	19.3.1927
	Finland .....	21.2.1927		Netherlands ....	7.1.1927
	France .....	4.5.1927		Poland .....	18.3.1927
	Germany .....	21.2.1927		Rumania .....	21.3.1927
	Great Britain ..	11.2.1927		Switzerland ....	10.2.1927
	Greece .....	26.2.1927	Minimum age for admission of children to employment at sea	Belgium .....	18.2.1927
	India .....	24.2.1927		Bulgaria.....	19.3.1927
	Irish Free State .	9.3.1927		Denmark .....	17.2.1927
	Italy.....	19.3.1927		Estonia .....	7.2.1927
	Japan.....	1.3.1927		Finland .....	21.2.1927
	Norway .....	12.2.1927		Great Britain ..	11.2.1927
	Poland .....	18.3.1927		Greece .....	26.2.1927
	Rumania .....	21.3.1927		Irish Free State	9.3.1927
	Spain .....	13.4.1927		Japan.....	1.3.1927
	Sweden .....	17.2.1927		Netherlands ....	7.1.1927
	Switzerland ....	10.2.1927		Poland .....	18.3.1927
				Rumania .....	21.3.1927
Childbirth	Bulgaria .....	19.3.1927		Spain .....	13.4.1927
	Chile .....	3.5.1927	Unemployment in- demnity in case of loss or found- ering of the ship.	Belgium .....	18.2.1927
	Greece .....	26.2.1927		Bulgaria.....	19.3.1927
	Rumania .....	21.3.1927		Estonia .....	7.2.1927
	Spain .....	13.4.1927		Greece .....	26.2.1927
				Italy.....	19.3.1927
Night work of women	South Africa ...	2.3.1927		Poland .....	18.3.1927
	Austria .....	11.3.1927		Spain .....	13.4.1927
	Belgium .....	22.1.1927	Facilities for find- ing employ- ment for seamen	Australia .....	15.2.1927
	Bulgaria.....	19.3.1927		Belgium .....	18.2.1927
	Czechoslovakia .	28.2.1927		Bulgaria.....	19.3.1927
	Estonia .....	7.2.1927		Estonia.....	7.2.1927
	France .....	<sup>1</sup> 7.5.1927		Finland.....	21.2.1927
	Great Britain ..	11.2.1927		Germany .....	21.2.1927
	Greece .....	26.2.1927		Greece .....	26.2.1927
	India .....	24.2.1927		Italy.....	19.3.1927
	Irish Free State	26.3.1927		Japan.....	1.3.1927
	Italy.....	19.3.1927		Norway .....	12.2.1927
	Netherlands ....	7.1.1927		Poland .....	18.3.1927
	Rumania .....	21.3.1927		Sweden .....	17.2.1927
	Switzerland ....	10.2.1927			
Minimum age for admission of children to in- dustrial employ- ment	Belgium .....	22.1.1927	Minimum age for admission of children to em- ployment in agriculture	Austria .....	11.3.1927
	Bulgaria.....	19.3.1927		Bulgaria.....	19.3.1927
	Chile .....	3.5.1927		Czechoslovakia .	28.2.1927
	Czechoslovakia .	28.2.1927		Estonia .....	7.2.1927
	Denmark .....	17.2.1927		Irish Free State..	( <sup>2</sup> )
	Estonia .....	7.2.1927		Italy.....	19.3.1927
	Great Britain ..	11.2.1927		Japan.....	1.3.1927
	Greece .....	26.2.1927		Poland .....	18.3.1927
	Irish Free State	7.3.1927		Sweden .....	17.2.1927
	Poland .....	18.3.1927			
	Rumania .....	21.3.1927			
	Switzerland ....	10.2.1927			

<sup>1</sup> This report was not received in time for examination by the Committee.

<sup>1</sup> This report was not received in time for examination by the Committee.

<sup>2</sup> No report had been received by the Office at the time of the meeting of the Committee.



Convention	COUNTRY	Date of reception of report by the Office.
Rights of association and combination of agricultural workers	Austria .....	11.3.1927
	Bulgaria.....	19.3.1927
	Chile .....	3.5.1927
	Czechoslovakia .	28.2.1927
	Estonia.....	7.2.1927
	Finland .....	21.2.1927
	Germany .....	21.2.1927
	Great Britain ..	11.2.1927
	India .....	24.2.1927
	Irish Free State	15.2.1927
	Italy.....	19.3.1927
	Latvia.....	12.2.1927
	Poland .....	18.3.1927
	Sweden .....	17.2.1927
Workmen's compensation in agriculture	Bulgaria.....	19.3.1927
	Chile .....	3.5.1927
	Denmark .....	17.2.1927
	Estonia.....	7.2.1927
	Germany .....	21.2.1927
	Great Britain ..	11.2.1927
	Irish Free State .	5.2.1927
	Poland .....	18.3.1927
	Sweden .....	17.2.1927
White Lead	Austria .....	11.3.1927
	Bulgaria.....	19.3.1927
	Chile .....	( <sup>1</sup> )
	Czechoslovakia .	28.2.1927
	Estonia.....	7.2.1927
	Latvia .....	12.2.1927
	Poland .....	18.3.1927
	Rumania .....	21.3.1927
	Spain. ....	13.4.1927
	Sweden .....	17.2.1927

<sup>1</sup> No report had been received by the Office at the time of the meeting of the Committee.

Convention	COUNTRY	Date of reception of report by the Office.
Weekly Rest	Bulgaria.....	19.3.1927
	Chile .....	3.5.1927
	Czechoslovakia ...	28.2.1927
	Estonia .....	7.2.1927
	Finland .....	21.2.1927
	India .....	24.2.1927
	Italy.....	19.3.1927
	Latvia .....	12.2.1927
	Poland .....	18.3.1927
	Rumania .....	21.3.1927
	Spain.....	13.4.1927
Minimum age for admission of young persons to employment as trimmers or stokers	Bulgaria.....	19.3.1927
	Denmark .....	17.2.1927
	Estonia .....	7.2.1927
	Finland .....	21.2.1927
	India .....	24.2.1927
	Italy.....	19.3.1927
	Latvia .....	12.2.1927
	Poland .....	18.3.1927
	Rumania .....	21.3.1927
	Spain .....	13.4.1927
	Sweden .....	17.2.1927
Compulsory medical examination of children and young persons employed at sea	Bulgaria.....	19.3.1927
	Estonia .....	7.2.1927
	Finland .....	21.2.1927
	India .....	24.2.1927
	Italy.....	19.3.1927
	Japan.....	1.3.1927
	Latvia .....	12.2.1927
	Poland .....	18.3.1927
	Rumania .....	21.3.1927
	Spain .....	13.4.1927
	Sweden .....	17.2.1927

## APPENDIX II.

### *Observations of the Committee on the forms for reports.*

The forms for annual reports as at present drafted are divided into two Parts. Part I requests general information regarding the legislative and administrative measures by which the Convention concerned has been put into effect, the date of application, the authorities entrusted with application, and application to colonies, etc.; Part II asks for special information relating to the application of particular Articles of the Convention.

It was understood when the first forms, those relating to two Conventions adopted in 1919, were approved by the Governing Body, that they were of a provisional character and that they would be revised later in the light of experience. When the other four Conventions adopted in 1919 and the Conventions adopted in 1920 and 1921 came into force, the experience

acquired was not yet sufficient to enable a decision to be taken regarding the changes which it was necessary to make and the forms relating to these Conventions were drawn up in practically the same form.

Since 1924, however, the need of amendment has become apparent. The principal criticism to which the present forms give rise is that they do not secure a clear indication regarding the legislative and administrative measures corresponding to the several Articles of each Convention. Information regarding legislation and administrative measures is requested in the forms for annual reports in a general form, and it is usually in relation to the Convention as a whole that the information is given. The inconvenience and the inadequacy of this method are revealed

when it is desired to show the legislation or administrative regulations in relation to each Article of a given Convention, as, in compliance with the wishes expressed by members of the Governing Body, the Office has attempted to do in the summary of annual reports. Some Governments have in certain cases spontaneously divided the information given in Part I under the headings of the various Articles of Conventions, but this is not the common practice and it is frequently found that information relating to a particular Article is completely lacking.

The Committee would therefore suggest that the Governing Body should consider the question of drafting the forms for annual reports in such a manner as to invite the Governments to indicate in

relation to each Article of Conventions the provisions of their laws and regulations which correspond to the Article. It would also be of value if each Government would give, in addition to this information, a short summary in general terms stating the actual legal position in regard to each Article of the Convention concerned, as it appears to the Government.

At the same time the Committee would recommend that the Governing Body should consider the question of attaching to the relevant forms for annual reports special forms for the supply of detailed information such as that required, for example, by Article 7 of the Hours Convention and by Article 6 of the Weekly Rest Convention.



## APPENDIX II TO THE SECOND PART.

### Report made by the Government of the Irish Free State on the Convention concerning the age for admission of children to employment in agriculture.

This report, furnished by the Government of the Irish Free State, in accordance with Article 408 of the Treaty of Versailles, was received by the International Labour Office on 17 May 1927. It was therefore not possible to include it in the summary laid before the Conference in the *Report of the Director*. The following is the full text of the report :

Report for the period ending 31 December 1926, in accordance with Article 408 of the Treaty of Versailles, Article 353 of the Treaty of Saint-Germain, Article 270 of the Treaty of Neuilly, Article 336 of the Treaty of Trianon, from the Government of Saorstát Éireann on the measures taken to give effect to the provisions of the Convention concerning the age for admission of children to employment in agriculture, ratification of which was communicated to the Secretary-General of the League of Nations on 26 May 1925.

#### PART I.

##### I. Legislative or other measures by which the Convention has been put into effect.

(1) If the application of the provisions of the Convention has necessitated no legislative or administrative changes, please indicate by virtue of what existing legislation or administrative regulations these provisions are enforced. Please give references to all necessary texts and enclose copies, if they have not already been communicated to the International Labour Office.

(2) Please indicate, where necessary, what new legislation or administrative regulations or modifications of existing legislation or administrative regulations have been adopted with a view to the application of the provisions of this Convention. Please give references to all necessary texts and enclose copies, if they have not already been communicated to the International Labour Office.

(3) Please indicate how the application of the legislation or administrative regulations mentioned above is enforced.

The application of the provisions of this Convention necessitated fresh legislation. The School Attendance Act, 1926, of which a copy was forwarded to the International Labour Office on 22 September 1926, gives effect to the terms of this Convention.

##### II. Date on which the application of the provisions of this Convention came into effect.

1 October 1926, for County Boroughs of Cork, Dublin, and Waterford, and Urban Districts of Blackrock, Dun Laoghaire, Rathmines and Rathgar, and Pembroke.

1 January 1927, for all other areas.

##### III. To what authority or authorities is the application of the above legislation or administrative regulations entrusted ?

Please indicate the special branches or services of the authority or authorities mentioned which are directly concerned in this application.

The legislation in question being an Act for enforcing compulsory attendance at school of all children between the ages of 6 and 14 is primarily a matter for the Education Authorities, and the enforcing authority is the School Attendance Committee in certain specified County Boroughs and Urban Districts, and the Civic Guard in all other areas.

##### IV. Application to colonies, protectorates and possessions which are not fully self-governing.

Nil.

#### PART II.

##### V. Article 2 states that :

" For purposes of practical vocational instruction the periods and the hours of school attendance may be so arranged as to permit the employment of children on light agricultural work and in particular on light work connected with the harvest, provided that such employment shall not reduce the total annual period of school attendance to less than eight months."

Has your Government made any arrangements under the provisions of this Article ? If so, please describe the nature and working of such arrangements.

Sections 4 (3) and (4) of the School Attendance Act, 1926, permit children between the ages of 12 and 14 being engaged for a prescribed period in light agricultural work for their parents.

##### VI. Please add any general observations which are deemed desirable.

Nil.











